Previous references.

111

1904-05

(Prisons)

File No. 11 of 04-05 all

Serial Nos. 7-8, 11, 13, 14, 15, 17

Later references.

Pris 29 of 08

ch 261-09-1

GENERAL AND REVENUE SECRETARIAT.

Nos. 7, 8, 11–14, 17–17[illegible]

Part B. for April 1906

SUBJECT.

Petition of Mahommed Ali Khan regarding the irregularities in the Bangalore Central gaol.

Petition of Mahomed Alikhan regarding the irregularities in the Bangalore Central Jail.

7 From B. Mahomed Alikhan, late Deputy Chief Warder, Bangalore Central Jail, through the Private Secretary to His Highness, dated 16th December 1904.
Complains that he was unjustly degraded from the post of Deputy Chief Warder to that of first grade Head Warder, and bringing to the notice of Government several irregularities in the Bangalore Central Jail, prays that the punishment awarded to him may be cancelled and justice done in his case.

8 To the Inspector-General of Prisons in Mysore, No. J. 2056, dated 27th January 1905.
Forwards the above for thorough investigation and early report.

1 From the same officer, letters Nos. 307—J., and 320—J., dated 23rd February 1905.
Submits a report as regards the above petition and returns another petition from B. Mahomed Alikhan, the petitioner in question, and recommends the retirement of the Chief Jailor Mr. Smith.

2 From the same officer, letter No. 372—J., dated 2nd March 1905.
With reference to the recommendation made by him in his letter No. 307—J., dated 21st February 1905, as regards the retirement of the Chief Jailor, suggests that the latter be compelled to take the maximum amount of leave at his credit and retire from service at the expiry thereof.

To the same officer, Government Order No. J. 2738, Pris., 11-13, dated 27th March 1905.
Remarks that the irregularities brought to light in the Bangalore Central Jail are most unsatisfactory, and calls for certain records along with the service registers of the Chief Jailor and B. Mahomed Alikhan, and further adds that the dismissal of the latter person cannot be absolutely approved when the matter is pending before Government.

14 From the same officer, No. 638-J. (enclosures six files), dated 20th April 1905.
Submits the records called for in the above.

17 From the petitioner, dated the 22nd April 1905.
The petitioner states some additional facts in continuation of his appeal petition.

18 From the same person, dated 17th July 1905.
Prays that his case may be disposed of early as the Superintendent of the Bangalore Central Jail enquires whether the petitioner is willing to continue payment of his life insurance premium or whether he will take 50 per cent surrender value of his policy.

19 To the Inspector-General of Prisons in Mysore, the Revenue Commissioner and the Comptroller, Government Order No. J. 2782-84, dated 9th April 1906.
Directs that Mr. G. Hume Wright's increments of pay be stopped until further orders and that he be warned that the recurrence of irregularities such as have been brought to the notice of Government in this case will render him liable to summary dismissal, that the Inspector-General should submit at the end of every half year a report on the management of the Central Jail at Bangalore, that the Chief Jailor, Mr. Smith, whose conduct presented itself in an unfavourable light in the course of the enquiry, be retired after the expiry of such leave as he may be entitled to, and observes that the dismissal of the petitioner Mahomed Alikhan was not warranted under the circumstances, and therefore orders his reinstatement sanctioning the payment of his pay from the date of his dismissal to the date of his re-employment, and also requests the Revenue Commissioner to confer on the petitioner a suitable employment in the Bangalore or Mysore District on a pay of Rs. 20 per mensem.

Endorsement to B. Mahomed Alikhan, No. J. 2785, dated 9th April 1906.
Informs him that he has been reinstated, that he should report himself for duty to the Revenue Commissioner, who has been requested to provide him with an appointment on Rs. 20 per mensem and that orders have been issued for the disbursement of his pay at this rate during the period of his non-employment.

FILE No. 11 of 1904-05.

Petition of Mahomed Alikhan regarding the irregularities in the Bangalore Central Jail.

From B. Mahomed Alikhan, late Deputy Chief Warder, Bangalore Central Jail, through the Private Secretary to His Highness, dated 16th December 1904.

Complains that he was unjustly degraded from the post of Deputy Chief Warder to that of first grade Head Warder, and bringing to the notice of Government several irregularities in the Bangalore Central Jail, prays that the punishment awarded to him may be cancelled and justice done in his case.

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Remarks that the irregularities brought to light in the Bangalore Central Jail are most unsatisfactory, and calls for certain records along with the service registers of the Chief Jailor and B. Mahomed Alikhan, and further adds that the dismissal of the latter person cannot be absolutely approved when the matter is pending before Government.

From the same officer, No. 638-J. (enclosures six files), dated 20th April 1905.

Submits the records called for in the above.

From the petitioner, dated the 22nd April 1905.

The petitioner states some additional facts in continuation of his appeal petition.

From the same person, dated 17th July 1905.

Prays that his case may be disposed of early as the Superintendent of the Bangalore Central Jail enquires whether the petitioner is willing to continue payment of his life insurance premium or whether he will take 50 per cent surrender value of his policy.

To the Inspector-General of Prisons in Mysore, the Revenue Commissioner and the Comptroller, Government Order No. J. 2782-84, dated 9th April 1906.

Directs that Mr. G. Hume Wright's increments of pay be stopped until further orders and that he be warned that the recurrence of irregularities such as have been brought to the notice of Government in this case will render him liable to summary dismissal, that the Inspector-General should submit at the end of every half year a report on the management of the Central Jail at Bangalore, that the Chief Jailor, Mr. Smith, whose conduct presented itself in an unfavourable light in the course of the enquiry, be retired after the expiry of such leave as he may be entitled to, and observes that the dismissal of the petitioner Mahomed Alikhan was not warranted under the circumstances, and therefore orders his reinstatement sanctioning the payment of his pay from the date of his dismissal to the date of his re-employment, and also requests the Revenue Commissioner to confer on the petitioner a suitable employment in the Bangalore or Mysore District on a pay of Rs. 20 per mensem.

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Informs him that he has been reinstated, that he should report himself for duty to the Revenue Commissioner, who has been requested to provide him with an appointment on Rs. 20 per mensem and that orders have been issued for the disbursement of his pay at this rate during the period of his non-employment.

I. R. S. 11]

GENERAL AND REVENUE SECRETARIAT.

III Prisons

NOTES.

File No. II 704 -

FILE HEADING.

Petition of Mahomed Ali Khan, re the ~~for enquiring into orders on merits~~ irregularities in the Bangalore Central Jail

From

B. Mahomed Ali Khan, late Head Warder Bangalore Central Jail Thro' the private Secretary to His Highness

No. Dated 16.12.04 Received 19.1.05

Diary No. 7 1688	Enclos.	Spare Copies.	Serial No. 7

BRIEF ABSTRACT OF LETTER.

Complaints of his unjust degradation from the above rank to a first grade Head Warder thereby for the post of Chief Wardership which is now vacant.

NOTES AND ORDERS.

Recm

Dewan's order: To the D.G.P. Prisons: How thoroughly investigation and early report"

D.D. P. N. K

Subd with a draft memo: accordingly

Sd 26/1/05

Sd 26-1-05

NOTES—First sheet

26/1/05

MGCPB—25,000—18-8-04

G.R.S. 12]
General and Revenue
Secretariat.

File No. 11 of 1904-05

Serial No.

To

The Inspector-General of Prisons

8 Letter no. 2056 dated 27-1-05
Prisons 11-8

Forwards the above for thorough investigation and early report.

From —do—

Letter no: 307/J dated 23rd Feb: 1905.

Submits a report as regards the above matter.

From Nazir same office—
Letter no: 320/J dated 23-2-05. Returns a petition from Sub'd for orders. The petitioner in question

the Inspector General. ~~to forward~~ enclosed several grave irregularities that are being committed.

Memorials of B. Muhammad Ali Khan, late Deputy Chief Warder dated 16th Dec. 1904 and 16th Jan 1905.

These memorials relate to two distinct matters

1st to the memorialist having been, on the report of the jail Supdt, dated 27th Oct 1904, reduced from Deputy Chief Warder to Head Warder, by order of the Inspector General of Prisons

MGCPB—20,000—1-11-04.

Serial No.

because he was supposed to have concocted the complaint of theft of Raggi preferred against convict No. 6433

2nd

to certain irregularities committed by the Supdt. and to misappropriation by him and the Chief Jailor of firewood and other properties in the jail.

Against the punishment of degradation awarded to the memorialist, he appealed, in the first instance, to the Hon'ble between whom and the Supdt. certain correspondence passed ending with Hon'ble's No. 1262 of 27th Nov. 1904, in which it was stated that the petitioner was degraded because he lacked the necessary qualifications for the position of the Deputy Chief Warder.

The memorialist submitted another application for reconsideration which the Supdt. refused to forward to Hon'ble vide endorsement No. 786 of 9/12/1904.

Hag A

Hag B

On the 16th Dec. 1904, the first memorial to His Highness was submitted in which the memorialist referred to the two matters above specified and in his 2nd memorial of 16/1/05, he complained that the Hon'ble

Hag C

MGCPB—20,000—1-11-04.

and Revenue
cretariat.

File No. 11 of 1904-05

Serial No.

had not yet submitted his report on the result of the enquiry made by him, and offered to prove all his allegations if the enquiry be entrusted to an independent officer commissioned by Govt.

The Dy.P. with his letter No. 307 J. of 21/2/05 submits his report on the result of the investigation made by him. It may here be noted that the correspondence which passed between the Dy.P. and the Supdt., ending with No. 1262 of 22/11/04, the proceedings connected with the case of theft preferred against convict No. 6433 and the record of enquiry made in connection with the present memorial including the statements, if any, taken from the Supdt., Chief Jailor, Contractor and others enquired by Dy.P. have not been submitted to Govt. The report however, which forms an enclosure to Dy.P.'s present letter No. 307, gives an abstract of all the complaints (fifteen in number) made by the memorialist and the Dy.P.'s reply, or remark on each complaint.

Flag C

Flag D

With regard to the memorialist having been reduced, the Dy.P. states that while there was grave suspicion that the

NOTE—Contn. sheet.

G.R.S. 12]
General and Revenue
Secretariat.

File No. 11 of 1904-05

Serial No.

memorialist had a hand in bringing about the so-called theft imputed to convict N° 6433, he was degraded because he neglected

1) to take steps in regard to a thief who was wandering in the jail and not attending to his guidance duty
2) to keep a certain gate closed at certain hours, and
3) as the memorialist's general conduct was such as not to entitle him to be put in a position of serious trust.

The Lt.G. in now returning the memorial, states that he has since dismissed the petitioner as he has proved himself to be quite unworthy of trust.

As regards the accusations made by the memorialist, the Lt.G. is of opinion that almost all of them with the exceptions ~~below~~ noted below have been found to be either false, frivolous or unfounded.

Complaint N° 3 relates to Mr Hume-Wright having cut down Rs. 400 worth of trees and appropriated the same to his private use. The Lt.G. considers it proved (a) that Mr Humewright did cut down 12 or 14 trees and lopped a considerable

—20,000—1-11-04.

G.R ^ 12]
('al and Revenue Secretariat.

File No. 11 of 1904-05

Serial No.

quantity of branches, but to nothing like Rs 400 in value, and

(b) that some of the timber was forwarded to both the Supdt and the Chief Jailer, though it is not possible to say how much of the timber shown as issued to the Supdt & the Chief Jailer was got from the contractor and how much from the garden

Both the Supdt & the Chief Jailer alleged that the loppings from the garden were, according to custom prevailing in the jail, used by them free of charge. But Mr Sparks, the former Supdt, to whom a reference was made stated that the trees & branches lopped were dried & sold to the contractor, and no jail officials were allowed to take them even on payment. This statement contradicts and negatives the existence of the alleged custom. The I.G.P. promises to submit a new rule adopting the Madras custom to prevent future irregularities of the kind now brought to notice. The I.G.P. states that there was nothing to show that the Supdt did not pay for the firewood supplied to him. He says that the Supdt paid atleast Rs 6 for the garden loppings and that he lost the receipts for what he paid to the contractor. It is not explained if the jail accounts and those

—Contn. sheet.

of the Contractor show the payments for all the firewood actually supplied to the Supdt. It seems that the present Supdt has, by an order, allowed all Jail officials to buy firewood from the Contractor at 15 lbs per one anna. A copy of this order is not submitted to ascertain whether the Jail Superintendent is included among the officials entitled to this privilege and whether the order has been issued with the previous approval of the Govt. Be this as it may, it may here be observed that the concession of the privilege allowed by this order is apparently open to abuse, which must be always difficult and often impossible to detect. The exercise of the concession will doubtless create the hope of favour and its disallowance or refusal will be regarded as a mark of spite or dislike. Even in the absence of corrupt motive on the part of public officers in connection with such concessions, the minds of petty officials would not at times be quite free from the influence of hope of favour or fear of spite or ~~ill~~ ill-will.

In connection with this firewood supply, the memorialist has produced a chit sent by Mr Hume Wright asking for 2 maunds of firewood. Mr Hume Wright

Serial No.

first thought that this chit was a forgery, but its subsequent admission by Mrs Hume Wright leaves no doubt as to its genuineness. There is a note on the back of it by the memorialist to the effect that it was inconvenient to make the supply. This is dt 14/9/1904, just two days prior to his removal from the charge of the ration in consequence of his refusal to supply the fire-wood.

The Chief Jailer admits that he has not paid for the firewood supplied to him & the excuse urged that he had received no bills for the same, is considered by the DJP. unsatisfactory.

Complaint No 5 is that the Chief Jailer had, on one occasion, as per his chit sent to the memorialist dt 14/5/1902, obtained for his private use 40 seers of gram. The Chief Jailer admits the chit, but he is unable to say whether he ever got the 40 seers. The memorialist avers that the Jailer did borrow the 40 seers, but did not return the same, and that the memorialist did not report this to any one. The DJP. is of opinion that the Chief Jailer has been hyper-bolical the gram for his own use or loan

and perhaps succeeded. The I.G.P. says that he may have meant no evil but that such acts are so subversive of discipline that the jailor who indulges in them is unfit for his position. In this case and as the jailor not having paid for the firewood the I.G.P. has decided that the Chief Jailor should be retired and the memorialist who has demonstrated private dishonesty in connection with this gram affair, should be removed permanently from the Jail Dept.

Complaint No 7 is about habitual convicts having been made gangers in turbans like ministers issued without authority. The I.G.P. says that the Supdt will be asked to explain the procedure. The further report on this matter may be awaited.

Complaint No 10 is as to the Supdt having used the jail bullock which died while it was in his private use and which was replaced by the purchase of a new bullock out of jail funds. The correspondence which passed in this respect between Col Benson & the present Supdt has not been submitted. This may be called for if necessary.

P.T.O

MGCPB—20,000—1-11-04.

G.R.S. 12]
General and Revenue Secretariat.

File No. 11 of 1904-05

Serial No.

With regard to the unauthorized employment of convict labour, the I.G.P. has made his observations on the audit report which was noticed by the Comptroller and is under investigation in Branch III

On the whole, it is painfully significant that a good deal of slackness was displayed in the maintenance of discipline, a strict enforcement of which is so essential in a place like the Central Jail.

28/2/05

For a draft

1.3.1905

2/3/05

Draft put up

2/3/05

The draft is somewhat strongly worded, but the circumstances justify the language used

G.R.S. 121

Ge..... nd Revenue Secretariat.

File No. 11 of 1905

Serial No.

It is desirable that the draft should before issue, be submitted to the Dewan through the 2nd Councillor for approval. Col. Smyth's investigation discloses very grave irregularities in the jail and the explanations offered are by no means satisfactory. Subd to Secy. Ootr. 7. 3. '05

Draft, which has been drawn up by Rao Bahadur Ramboochetty as per my instructions, is submitted to the Dewan Sahib thro the 2nd Councillor

L.O.O. 10-3-05.

9. 3. 1905

I beg in opening discussion grave irregularities and shortcomings as per records since imposition of fine. I do not consider it difficult to pay it to the Maharaja. Numerous cases have been brought to light - extreme irregularities which although many not known to the Administration

G.R. 2]

General and Revenue Secretariat.

File No. 11 of 1904-05

Serial No.

The circumstances under which the removal of [illegible] from the charges brought forward against him must have proved sufficient justification for ordering his prosecution in a criminal Court. Under such a course would not only be unfair to the accused but would also result in the introduction into the official administration of matters not creditable to the efficient conduct of public business. Mr Hume Wright's evidence is certainly most [illegible] and if any important [illegible] should have been omitted

G.R.S. 12]
General and Revenue
Secretariat.

File No. 11 of 1904-05

Serial No.

to Grant Concessions in the Districts bordering the Mekran Coast to be regulated. That the Agreements in many Land Cases in the Persaud-engineering.

13.3.1905

12/3/05

5355/14.3.05.

Papers received with [illegible] about grant of lease [illegible]

8/4/05

7/4/05

Serial No. 12

From

The Inspector-General of Prisons, in Mysore.

Letter No: 372/J dated 2/3.3.05

With reference to the recommendation made by him in his letter no: 307/J, dated 21.2.05, as regards the retirement of the Chief Jailor, suggests that the latter be compelled to take the maximum amount of leave at his credit and retire at the expiry thereof.

Subst.

The file on the subject (Rec: Code irregularities in the Bangalore Central Jail has been subt to the 2nd Councillor today. This ~~has been~~ may also be subt in Ch. Instructions.

SW. 10/3/05

Res. dtd 10.3.05

11.3.05

201 13-3-05.

The file has been entrusted for submission of Rules, Sir Lungley's recommendation may be considered. He may also be requested to submit a statement showing the particulars to make further

MGCPB—20,600—1-11-04.

G.R.S. 12]

General and Revenue Secretariat.

File No. 1 of 190 4-15

Serial No.	
	vide the C. Jurisdiction Secretariat will ultimately be moved permanently Circuit? 8/ 14/3/05
	14.3.1905
537/15.3.05	No final orders are passed.

NOTE—Contn. sheet.

MGCPB—20,000—1-11-04.

Serial No. 13

To

The Dy of Prisons, in Mysore.

C.O. No: J 2738/Pris 11-13, dated 27.3.05.

Remarks that the irregularities noticed in the Bangalore Central Jail are most unsatisfactory and calls for certain records along with the service Registers of the Chief gailor and Mahamed Ali Khan, ~~before passing final orders on the matter~~ and further adds that the dismissal of the latter person is one which cannot be absolutely approved.

14

From

The Same officer.

Letter No. 638/5 (Enclosures - 6 files) dated 28th April 1905

Submits the following records as called for in the above.

1 Records regarding the removal of the memorialist from the ration charge.

2. — Do — — the Toti of non-closure of the gate and also relating to a case of theft of ragi.

3 — Do — — the degradation of the memorialist.

4 — Do — — the gail bull —

5 — Do — — turbans granted to the habitual convicts

6 Service Registers of Chief gailor Mr Smith and Deputy Chief Warder, Mahamed Ali Khan.

From the above records, it is observed that the memorialist was removed from

MGCPB—20,600—1-11-04.

Serial No.

Flag Z

the ration charge as he was found to have issued bad rations on several occasions. During the investigation of the ~~offence~~ theft of a bag of ragi by a prisoner, the Superintendent surmised that the memorialist was at the bottom of a conspiracy to get the Dy jailor who was newly put in charge of rations into trouble and recommended his transfer to some other jail. The Inspector General thereupon reduced him to the post of 1st grade Head Warder on Rs 20. Though there is nothing on record to connect the memorialist with the commission of the theft referred to above, the I.G. says that he reduced him because

Flag Y

Flag P, pp 1-2

he neglected to take any steps in regard to a thole who was wandering in the jail without any work, and (2) as he neglected to keep a certain gate closed as per rules and (3) as his general conduct was far from satisfactory. As regards his dismissal commanded in para 8 of the Govt order of the 27th March 1905, the I. G. says that as the investigations revealed the man to be of such a stamp as rendered his retention intolerable and unjustifiable, he considered that the

per under dispatch

MGCPB—20,000—1-11-04.

Serial No.

Govt would be likely to call him to account for retaining the man in service knowing him to be absolutely untrustworthy."

Flag W

The records in re the grant of kurbans to habitual convicts, which have been forwarded as called for in para 6 of the order, show that the kurbans were given to two convicts as a reward and inducement for good work. The Superintendent admits that he had no authority and that he acted on his own responsibility, but he has since taken back the two kurbans remitted the cost thereof to the Treasury under the orders of the Inspector General.

V

The Correspondence relating to the death of a bull while in the service of the Supdt. have been forwarded as due. On the death of the bull a post mortem examination was made at the instance of the Superintendent. The intestines were found congested and there was a quantity of fat round its heart. It was thought by Dr Narayappa that death was probably due to fatty degeneration of the heart. Another bull was sanctioned to be purchased in its stead (vide Govt Pro: 1904-5 d: 29-5-05 J.M) but there was nothing on record at the

Flag V

Serial No.

to refer
the time that the bull was in the private
Custody of the Superintendent; the fact was
omitted to be mentioned by the Supdt.-
The Inspector General adds that
per order dated 1.8.05 the statement made in para 4 of the
Govt order referred to, viz "that the trees
felled out were made over to the jail
Contractor for sale" is not quite correct
& that what the Supdt said was that
the Contractor had the option of buying such
produce. The wood that was cut as
Hag. Dt 8/9 reported to have been used for jail
Carts, poles &c & the small pieces were given
to the potter. The statement "that the
Supdt paid Rs 6 to the Contractor but has
no voucher" is said to be not according
to the Inspector General's report. This amount
was not paid to the Contractor but to the
jail garden account for which vouchers
are said to be forthcoming. ~~He has to pay~~
~~to the Contractor~~

Ins. V The Service Registers of the
Manurialist and of the chief jailor
have also been submitted as called
for in para 8. It appears from the
Service Register of the former
Subd for orders. that he was degraded in
SH 2/5/05 the year 1885 -
Seen
1.5.05
Submitted. Dewan Sahib

General and Revenue Secretariat.

File No. \ of 190 . 05

Serial No.

Thro the 2nd Committee

2.5.1905

Received 5.5.05. Typed note attached to the Main file

Read 30.5.05 on the Subject

Enclosed.

The typed note referred to commences from page 20 in the notes of this file.

C.R.D

Serial No.

From

17 B. Mahgoumed Ali Khan,

Late Chief Warder, B.C. gaol

Petition Registered No. 2 dated 22.4.05.

The petitioner states some additional facts in continuation of his appeal and petitions as regards his case Submitted. The previous papers (Prisons File no: 11–14 of 04-05) were Submitted to Dewan Sahebs through the second Councillor on the 2nd may 1905.

CRO 11-5-05 11/5/05

The matter ruled in Court

Dec 4 20. 4/11-5-05

Rdr 12.5-1905

253 14.5.05. 4

Please see typed note attached

Supdt 29.5.05

30/5/1905

Dewan 4/30.5.05

Submitted.

The second Councillor's note is attached next to this page

CRO 30.5.05

687 24.V.05.

MGCPB—20,000—1-11-04.

Note

Muhammed Ali's grievance dates back to 16th September '04 when he was removed from the ration charge. The reason for this, he attributes to the noncompliance by him of a maund of fuel as requested by Mrs. Hume-Wright in a chit. The genuiness of the chit has been admitted by her but she has not been questioned whether the fuel was supplied or not and whether she did write the chit on 14-9-04. Even if she had been questioned she would not have been able to give the correct date in the absence of the date in the chit itself. Granting that the memorialist did refuse to comply with the request of Mrs. Hume-Wright, it cannot be said that the Superintendent was actuated to remove Md Ali from the ration charge on this ground only, because, on his own admission, Md. Ali says that the Suptt. has been continually finding fault with him and trying to get rid of him for the previous two years Perhaps the fuel incident, if true, accelerated his removal. The Deputy Chief Warder was fined ₹5 for issue of bad rations on 15-9-04 and was removed from ration charge. The petitioner says that he was unjustly fined on 16-9-04 when he was not in charge of the rations

l adds that on his representation to the Suptt. he
thdrew the order as shewn by an entry in the deli-
ry book of the jail. The question is whether the man
uld be rightly fined. Md. Ali says that the supply
r the week was collected in the store room and lock-
up. The keys were kept by the Chief Jailor and the
ntractor. The Chief Jailor was the Inspecting officer
his man's busines s was therefore to attend to the
re mechanical part of issueingrations. He cannot be
ld responsible for the bad supply. The checking of-
cer should bring this to the notice of the Suptt.
ne right persons to be punished are the Chief Jailor
id the contractor and not the petitioner whose duty
s simply mechanical. The petitioner's explanation is
lear on the point. Moreover there has been no such
omplaint against him before. The Suptt's action in
aving removed him on the first complaint is hardly
ustifiable.

The petitioner was degraded on ac-
count of certain dereliction of duty on his part broug
to notice in connection with the ragi theft case. It
is significant that the I.G. of Prisons has in his or-
der of October assigned no reasons for his degradatior

except that his conduct was found to be very unsatisfactory. There is not an iota of evidence to shew that the ragi theft case was concocted by the memorialist. The accused Vencata, convict no. 2384 admits in his statement that he was directed by the Deputy Jailor to take the bag of ragi to his quarters for inspection. It is not known why the Suptt. has not recorded the statement of the Deputy Jailor. Had he been questioned he may perhaps have denied all knowledge; but the Suptt. should not have presumed it. However the facts elicited in the evidence of the several witnesses go to shew that it was the duty of the Tower officer to see all the gates are locked and that the thotis are at their proper work. Md. Ali himself in the statement recorded by Mr. Hume-Wright admits this and that it was against the rules for a convict to go to the tower unaccompanied by a warder. In his subsequent petition Md. Ali denies having admitted this and alleges that his statements have been misinterpreted by one Samuel who bore a grudge to him. He says that immediately after the enquiry he sent a registered letter to the Suptt. stating that there may be misrepresentations Mr. Samuel being the interpreter. A receip

accompanies the petition, but it is not known why the Suptt. has failed to forward the ~~application~~ petition in original. It is also not understood whether the statement was read over to the petitioner or not before he attested it. No mention to this effect has been made in the statements. ~~has been made.~~ However it is clear that Md.Ali has failed in his duty to a certain degree and the sentence of degradation is perhaps deserved. His subsequent dismissal simply because he preferred an appeal bringing to notice crtain irregularities cannot be justified. The reasons given by the I.G.of Prisons that he would be questioned by Govt. for keeping in service the memorialist who was in his opinion found to be untrustworthy cannot be upheld as the matter was then pending before Govt.

Re the issue of turbans to habitual convicts, the Suptt. has admitted that he did it without proper authority. He has since refunded the cost. No further action is necessary.

The bull affair. As to the cause of its death it may be due to the fatty degeneration of the heart as certified by Dr. Nanjappa. But the question is not the death of the bull but the death of

the bull in the service of Mr. Hume-Wright and not in the jail service. The Suptt. had no manner of right to use Govt. property for his private purpose. He ought to be made liable to pay the cost of the new bull purchase

The other allegations that were substantiated are fully dealt with in the order of March 05. Nothing more need now be said.

To conclude I must add that if ever I saw it demonstrated "The pot calling the kettle black" it is here. The mutual recriminations are most amusing and it is clear from the record placed before me that all the jail officials including the Suptt, and the memorialist are not above suspicion. In my opinion the whole jail is managed in a most shameful manner requiring a thorough overhauling. I therefore consider that the conduct of the Suptt. is open to severe censure. I think the retirement of the Chief Jailor is necessary and a competent man appointed in his stead. The memorialist may be given an appointment in any other department on the same pay to which he was degraded by the I.G.

The discrepancies in the Govt. order brought to notice by the I.G. are not very materi-

D Meredith
29/5/05

~~GENERAL AND REVENUE SECRET~~

(Prisons)

~~NOTES~~

File. No 11 of 04-05

~~FILE HEADING.~~

Petitions

Mohammed Ali Khan, late deputy Chief Warder, Bangalore Central jail.

No. — Dated 17.7.05 Received 20.7.05

Diary No. 917	Enclos. —	Spare Copies. —	Serial No. 18

BRIEF ABSTRACT OF LETTER.

Prays that his case may be disposed of early, as Supdt of Cen. C. jail enquires whether the petitioner is going to continue payment of his life insurance premium or to take 50% surrender value of his policy.

NOTES AND ORDERS.

Subd: in continuation of Proj 22 97, Prisons File 11 of 04-05, Serial 17 which were Subd to the Dewan an abstract

the 20th May 1905.

My Master's note in Kannada.

CRO SR 24.7.05 24/7/05

Submitted to the Dewan Saheb thro the Councillor

26.7.1905

11 / 04-05.

Notes—First sheet.

MGCPB—30,000—17-2-05.

eneral and Revenue Secretariat.

File No. 11 of 1903-05

Serial No.

Un Jonpuram with the Deputy.

27.2.1903

27/2/03

G.R.S. 12]

General and Revenue Secretariat

File No. 11 of 1904-05

Serial No.

1879/31.5.05

It seems to me, after careful consideration of these papers, that the conduct of Mr. Thomas might also perhaps with advantage be charged that Jail should be considered in Council. The papers will accordingly be circulated to Councillors and brought before an early meeting of Council.

15.XI.05

To The Registrar for circulation

(Council (left))

Sybd 16/11/05

Rule 16-11-05

Extract from the Proceedings of the 121st Meeting of the Council of His Highness the Maharaja, held at Bangalore on the 27th Novr 1905.

I. *Subject--(Clause V(d) of the Schedule.)*

Irregularities in the Central jail, and the Conduct of the Superintendent Mr C. Hume Wright, in Connection there

Opinions of the Dewan and Councillors.

A perusal of the records shows that the management of the jail has been full of irregularities and that the Superintendent Mr Hume Wright has shown himself wanting in Several wa He has not been able to correct the irregularities or maintain the jail discipline properly either among the prisoners or among the officials. He himself has not been overscrupulou in dealing with articles manufactur in, or belonging to, the jail, or in usin the Jail Labour. He has shown hi self incompetent and untrustworthy and it is therefore deemed highly

injurious to the interests of the jail to allow
to Continue in charge of it.

(Signed) P. N. Krishna murti
Dewan of Mysore

B. Rama Swami Ayyangar
In Secretary
mvl
2-12-05

Extract from the Proceedings of the 12th Meeting of the Council of His Highness the Maharaja, held at Bangalore on the 13th Feb: 1906.

III Subject--(Clause V of the Schedule.)

Conduct of Mr. G. Hume Wright Superintendent, in Connection with certain irregularities in the Bangalore Central Jail.

Opinions of the President and Councillors

It is impossible to find other employment for Mr. Hume Wright, and he may therefore be Compulsorily retired from Service.

A medical officer may be put in charge of the Bangalore Central Jail, and Mr. P. S. Achyuta Rao, Civil Surgeon, Nellore, may accordingly be appointed Superintendent of the Central Jail on his present Salary.

(Signed). P. N. Krishna Murti
Dewan of Mysore

16.2.1906

Secretary

Submitted to His Highness.

The accompanying papers relate to the gross irregularities brought to His Highness' notice in the memorials dated the 16th December 1904 and the 16th January 1905 and presented by Mahamed Ali, late Deputy Chief Warder of the Central Jail, Bangalore.

2. The charges preferred in them against the Superintendent and the Chief Jailor of the Central Jail have been enquired into by the Inspector General of Prisons whose findings are recorded in the memo of enquiry contained in the file.

3. Some of the fifteen complaints urged f the memorials have been found not to have been established. Those on which evidence is forthcoming are complaints Nos. 2, 3, (5), 5, 7, 9 and 10 which will be briefly dwelt upon in this note.

4. Complaint 2:- This relates to the supply of firewood to the Superintendent and t

Chief Jailor both from the Jail and by the Jail Contractor. This fact has been conclusively established by the entries in the gate book. The Superintendent pleads that he has paid for the firewood received; but there is no evidence in support of his plea. The Chief Jailor candidly admits non-payment of the price of firewood supplied to him; but puts forward the ineffectual plea that no bills were presented to him therefor

In this connection the complainant produced a chit alleged to have been written by Mrs. Hume Wright, requiring that one maund of fuel might be supplied to her. It is noteworthy that Mr. Hume Wright was not honest enough to admit the genuineness of the chit, while Mrs. Hume Wright admitted it.

5. Complaint 3:- The Inspector General of Prisons finds that a few trees were cut under the Superintendent's orders and were appropriated by the Superintendent and that he also used the loppings of the garden free.

6. Complaint 5:- This is proved against

the Chief Jailor who admits the genuineness of the chit produced, asking the memorialist to supply him with 40 seers of gram .

7. Complaint 7:- This has not been established fully. But the enquiry shows that the Superintendent, without proper authority, made some"habituals" gangers and given them turbans.

8. Complaint 9:- The sale Register clearly proves that a table was sold from the Jail to Colonel Benson; and that the Superintendent Mr. Hume Wright himself purchased another on his own authority.

9. Complaint 10:- The Superintendent admits having borrowed "the bullock 3 or 4 times, at the most for an hour in the morning and evening" and that it dropped dead "on the last occasion". These facts were carefully suppressed in the official report sent to the Inspector General of Prisons on the death of the Jail bull.

10. These are the specific irregularities referred to in the opinion of the Council dated

the 27th November 1905. The incidents taken as a whole establish want of veracity, honesty and disciplinary methods on the part of the Jail Superintendent; and the vices are such as to disqualify him altogether to hold the charge of the Central Jail any longer.

11. I consulted Mr. Baconochie in this matter as he having been long on the Press Committee, had opportunity of knowing Mr. Hume Wright and his work as Press Superintendent. His opinio is also herewith submitted.

12. The matter was again considered in Council which is of opinion that Mr. Hume Wright should be compulsorily retired from service. Besides, it is impossible to find him any other employment.

13. If the retirement of Mr. Hume Wright is sanctioned by His Highness, the Council is of opinion that it would be an economical measure to appoint a medical man to the post of Jail Superintendent. Dr. Achyuta Rau's name is, therefore, proposed.

19. 2. 06.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Irregularities in the Bangalore Central Jail, and the conduct of the Superintendent Mr. G. Hume Wright, in connection therewith.

Order.

I Consider that though there has been deplorable Slackness in the management of the jail & a disregard by the Superintendent of the principles that should regulate the Custody & use of Govt property the Conduct of Mr Hume Wright is not such as to merit dismissal. He Should however be severely reprimanded & his increments should be stopped till further orders. The I. G. of prisons should be asked to Submit a half yearly report on the management of the jail & the Supt should be warned that the occurrence of irregularities of such as have been brought to notice in the present Case, will render him liable to Summary dismissal. The Subsidiary matters referred to in the Course of the Case, such as the Conduct of Subordinates, revision of the jail manual and accounts & so on should be dealt with in the order, which I want to See before issue.

27/2/86

issue of orders ordered 28.2.86

R.S. 125
General and Revenue
iat.

File No. 11 of 1906

Serial No.

Draft order for approval.

As regards complaint no 7 (employment of prisoners on private work of the Supdt.), reference is made in para 9 of the despatch to the remarks recently made by the Chief Court of Lucknow & the City Magistrate of Cawnpore in a case connected with the escape of a prisoner while so employed —

Separate orders having already been passed in regard to the appreciation of tree-lopping etc, the use of convict labour & the irregular sales of jail articles, the despatch merely refers to them in paras 5, 6 & 12.

In addition to orders on the irregularities prevailing in the Jail, the petitioners appeal against his conviction & subsequent dismissal ~~has~~ remains also to be disposed of. As the man is stated by the Head of the dept to be unworthy of trust — para 14 of the draft declines to interfere with the order of dismissal, while commenting on the impropriety of the action taken while the appeal was pending before Govt.

Clean draft submitted for the orders of the Devasthanam Board.

14.3.06

15.3.1906

MGCPB—20,000—1-11-01.

11867
15/3/06

Submitted to His Highness.

A draft order in Mr. Hume Wright's case is herewith submitted as directed in His Highness' order, dated the 27th February 1906.

21.III.06

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Draft order, as called for, in connection with Mr.Hume Wright's case.

Order.

The draft is susceptible of improvement in some respects. In places it is not quite accurate, whilst in others it is not sufficiently precise. It may be amended as shown in the draft that I have caused to be placed on the file. In line 3 of para 4, the use of the word "denied" is not quite fair. Mr Hume Wright said that the writing was so unlike his wife's that it must be a forgery. The word denial suggests dishonest denial, a suggestion for which there is no ground. "Questioned"should be substituted. The draft as amended may issue.

KRW 28/3/06

Secretary's draft. 29.III.06

For para 5. Substitute the following.

As regards the alleged cutting down of trees of the value of Rs 400, it is shown that a few trees were cut down under the Superintendent's orders, but their value can not have been great, indeed or more than a small fraction of the sum alleged. At the same time, the manner in which the wood was disposed of is open to the gravest objection. Some was, it is said, used for Jail purposes but a quantity was used by the Superinterdent as firewood without payment, except for a sum of Rs 6 odd credited to the Supt in the garden account. To prevent future irregularities etc ..... purposes only. It is further amply proved, by entries in the gate book, that a large quantity of firewood was supplied to the Superintredent and the Chief Jailor both from the Jail and by the Jail Contractor. The Chief Jailor admits non payment of the price of firewood ~~ex khs~~ viz that no bills have presented but the plea which he puts forward in excuse is inadmissible. The Superintendent says, that he paid the Contractor but that he did not keep the receipts. The explanation is not satisfactory and Govt can only observe, that when an Officer in the responsible position of Jail Superintendent has personal dealings with a Jail contractor and is unable to prove their correctness, the presumption is likely to be against him. For the future all private dealings between any Officer of the Jail and any Contractor to the Jail for the time being must be strictly prohibited.

Para 8.

Complaints No, 22 6,8,12,13 and 14 are not borne out by the evidence and must be dismissed as frivolous and malicious.

Para 10.

After " authority" insert :- but there is nothing to show that the transactions were irregular or that the proper price was not paid for the article in either case. As, however, such purchases etc .....

Para 11.

After "in question." substitute :- There is competent medical authority for the belief that the animal died of loading of the heart with fat from idleness. Under the circumstances the need for maintaining a jail bullock seems open to question. Be that, however, as it may, the fact remains that the bullock died not in Jail service but whilst it was being used, most improperly, for the private purposes of the Superintendent.

For para 13 substitute:-

The papers before Govt disclose a state of affairs in the Central Jail, Langalore, which can only be described as discreditable to the Superintendent. The breaches of rule proved or admitted are not perhaps of grave importance in themselves, but coupled with the disregard on the part of the Superintendent and the Chief Jailor of the elementary principles which must regulate the custody and use of Covernment property, they ~~xxdxthaxeffect~~ have affected most injuriously the discipline of the Jail. Under the circumstances Government are compelled to mark their displeasure emphatically. They direct therefore etc, etc,... .

For para 14, substitute:- ~~15~~ 14

As regards the appeal of the Petitioner against his degradation and subsequent dismissal, Covernment accept the reasons furnished by the Inspector General for the first measure. As regards his dismissal, Government are of opinion that, though he was clearly an unsatisfactory subordinate and ~~that~~ his removal from the Jail Dept was probably desirable, in the interests of the service, the misbehaviour proved against him was not such as to warrant his dismissal from Covernment service. They are further of opinion that his dismissal at a time when allegations made by him against his superior Officers ~~was~~ were under inquiry was an inap-

portune measure and one susceptible of an unfavourable construc-

tion. On the one hand the petitioner has by his persistence in instrumental in

bringing to light a number of irregularities. On the other he

has altogether failed to substantiate several charges and has

grossly exaggerated others. His conduct with reference to the

Gram case does not appear in a favourable light. The difficulties

to which a subordinate is exposed when his superior Officers are

guilty of irregularities are, however, apparent, and Government are

of opinion that, under the circumstances, his dismissal from the

service was not warranted. The Government are accordingly plea-

sed etc etc.....

G.R.S. 12]

Land Revenue
Secretariat.

File No. 11 of 1906-07

Serial No.

A fair draft order embodying the amendments ordered by His Highness is put up for approval. A draft endorsement to the petitioner is also submitted for approval & other orders.

2/4/07

Levi Kinnos

Secretary

Dr
4-4-1906

C.D.S. 12J
ral and Revenue
Secretariat.

Pr File No. 11 of 1904-05

Serial No. 19

To

The I. G. of Prisons in Mysore.
The Revenue Commissioner in Mysore
The Comptroller to Government.

G.O. No J 2782-84 / Pr 11 of 04-05, dated the 9th April 1906.

Directs that Mr Hume Wright be severely reprimanded, that his increments of pay be stopped until further orders, that he be warned that the recurrence of irregularities such as have been brought to notice in this case will render him liable to summary dismissal, that the I. G. of Prisons should submit at the end of every half year a report on the management of the Central jail at Bangalore, that the Chief jailor Mr. J. Smith, whose conduct presented itself in an unfavorable light in the course of the enquiry be retired after the expiry of such leave as he may be entitled to ~~asd~~, observes that the dismissal of the petitioner Mahomed Ali Khan was not warranted under the circumstances and therefore orders his reinstatement, requesting the Revenue Commr to confer on the petitioner a suitable employment in the Bangalore or Mysore District on a pay of Rs 20 ~~per~~ mensem.

To

Mahomed Ali Khan, Ex chief Warder

GPB—50,000—23-10-05

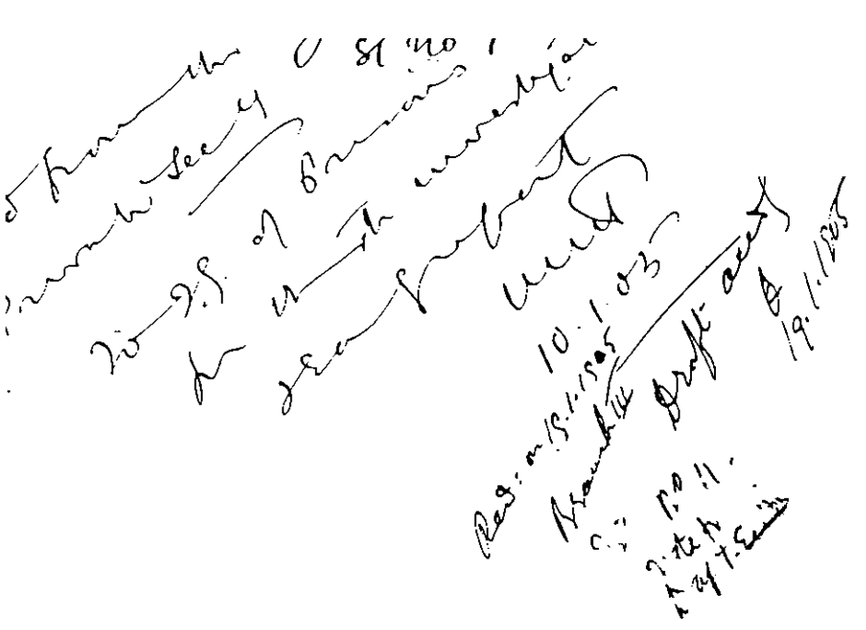
G.R.S. 12J
General and Revenue Secretariat.

Pr File No. 11 of 1904-05

Serial No.

Bangalore Central Jail.
No J 2785/Pr 11-04, dated the 9th April 1906

Informs him that he has been reinstated &, that a suitable appointment in the Revenue Department in the Bangalore or Mysore District is given to him on a pay of Rs 20 per mensem, that orders have been passed for the disbursement of pay at this rate during the period of his non-employment and that he should report himself for duty to the Revenue Commr.



His Highness Sri Krishna Rajendra Wodayar Bahadur,

Maharajah of Mysore

The humble memorial of P. Mahammad Ali Khan,

late Dy. Chf. Warder, Bangalore, Central Jail.

To

His Highness The Maharaja

Sri Krishna Rajendra Wodayar Bahadur,

Maharaja of Mysore.

May It Please Your Higness,

The humble memorial of B.Muhammad Ali Khan late Deputy Chief Warder (now first grade Head Warder) Bangalore Central Jail, most respectfully sheweth:--

1. That your memorialist was enlisted in the Jail service on 2nd:April 1901. Since then he has always discharged his duties to the best of his ability and to the entire satisfaction of his superior Officers, the fact of which is borne out from the records. Mr.HumeWright, the present Superintendent, certified to the honesty and uprightness of your memorialist when the former had an occasion to depute him to ascertain the prices of food grains, etc. prevailing in the market, in order to settle the Contractor's bills.

2. That your memorialist on certain occasions acted up to the verbal instructions given to him by the Superintendent although such orders are not quite conducive to the Jail rules. The Superintendent having persisted in the continuance of issuing such orders, your memorialist begged of him for written authorities, whenever there was an occasion. The illegal orders of the Superintendent and the false position in which your memorialist was placed will be dealt with in the following paragraphs.

3. Thenceforward there was a determination in the Superintendent to ruin the name and the prospects of your humble memorialist as will be evidenced as follows:--

(i) On more than one occasion references were made to the late Inspector General to the effect that your humble memorialist had not worked satisfactorily and that he might be removed from service. (Vide Superintendent's Reports

No.162 dated 28nd:August'02 and No.209 dated 3rd:Sepr'02 Etc).

(ii) At another time your memorialist was again reported to for having come late by half an hour and even gone to the extremity of suspending him. (Vide Superintendent's Order No.208 dated 3/8th September'02).

(iii) For the next time the Superintendent made a very strong report to the Inspector General stating that your memorialist is over-aged and should not therefore be confirmed in his appointment and should be removed from service at the earliest possible opportunity.

4. In spite of such reports against your memorialist, Col.Benson, the late Inspector General, who has known your memorialist's family and himself personally, took no notice of such orders and was kind enough to address Government on the subject of his being over-aged and got him confirmed. (Vide Government Proceedings No.$\frac{8262--3}{668}$ dated 13th:November,1902.) Thus it will be seen from the foregoing paragraphs that the Superintendent bore a special spite against your memorialist apparently with ill-motive to ruin him altogether, the reasons of which are stated in paras 2 supra and 13-1 infra, although there is no record to prove your memorialist's dishonesty.

5. Finding himself thus disappointed in all his possible attempts, he was meditating as to how he should entrap your humble memorialist, for which unfortunately there was an occasion for him in a very crooked way.

6. On 22nd:September'04 at about 3-20 p.m.while your memorialist was at the tower of the Jail, convict No.6433 ran to your memorialist and stated that convict No.2384 was taking a bag some where, the contents of which he could not say. Your memorialist at once hastened to the spot, as he thought it was his duty, to do so, ~~in the~~, in the interests of the Jail. Finding that the statement of the convict was true, your memorialist at once reported the fact to the Chief Jailor.

7. The Chief Jailor after necessary enquiries and examination of the bag found it to contain pure Raggi about 60 seers, therefore the Chief Jailor placed the case next morning befcre the Superintendent. The Superintendent after making lengthy enquiries of your memcrialist and other witnesses submitted the case to the Inspector-General fcr dispcsal, after framing his opinion, that your memorialist concocted the case in order to bring the Deputy Jailor, Mr.MacGuire, into trouble,etc, although there was nothing on record to substantiate his finding.

8. Your memorialist believes, the reason that the Superintendent has assigned,about sc believed concoction of the above-said burglary case, is that the Deputy Jailor was in Charge of the ration duty at the moment and that a little while ago your memcrialist was relieved of that duty by him. Whereas:--

(i) Your memcrialist bears no ill-grudge to Mr.MacGuire, the Deputy Jailor, who is his superior Officer.

(ii) Your memorialist is not the complainant of the case, nor has he detected it. Convict No.6433 detected it and complained to your memcrialist the Officer nearest to the spot to report first.

(iii) The case was not brought by the complainant against the Deputy Jailor. Convict No.2384 who was taking the bag is the defendant of the case. And it is he who said that he was doing this burglary under orders and by help of the Deputy Jailor. This is convict's statement, but was not taken to consideration by the Superintendent. Besides these convicts are always apt to tell lies, and this convict No.2384 may have some ill-grudge to the Deputy Jailor and so might have told a lie.

(iv) Your memorialist was only a witness placed by the Chief Jailor in his report to the Superintendent.

9. On the report No.551 dated 27th:October'04 of the Superintendent, regarding this case, the Inspector-General has been pleased to pass an order to the effect that the conduct of your memorialist is most unsatisfactory. He is accordingly

reduced

reduced from Deputy Chief Warder to 1st:Grade Head Warder. This order being passed by the Inspector General only on the one-sided representations of the Superintendent, which were all but to ruin your humble memorialist, he in the interests of justice, thinking it his duty to place the true facts before the Inspector-General, and to make representations of his grievances and sufferings under Mr.Hume Wright for illegal causes, presented himself directly at the Bungalow of Col.Smyth, the Inspector General of Prisons. But most unfortunately he was refused an interview, the answer being "Can't see" on the visiting card.

10. Then your memorialist in the interests of justice ~~and~~ and justice alone, submitted his appeal revealing all the circumstances and the causes of the revenge of the Superintendent against your memorialist, although perfect and honest in his duties. But in Order No.1183/J dated 4th:November'04, he was refused to be heard only on the ground that his appeal was long. Therefore your unsupported memorialist submitted a short appeal and prayed the Inspector General to grant him an interview if at all there is justice, as he intended also to bring out in the interests of his own self those open irregularities of Mr.Hume Wright, which he begs to add in the following paras also. But no justice was done to him and his last appeal has been answered that he is lacking in qualities although there is nothing on record to prove this; and although the present man who has been appointed in your memorialist's place possesses none of your memorialist's qualities either in learning or otherwise. Further about what the Inspector-General has strongl said in order No.1262 dated 21/22nd November'04 that your memorialist "Lacks the necessary qualities for the position he held' He most respectfully prays your Highness that his qualities, either in management of Jail work or in the knowledge of Jail rules and Jail Manual,etc may be compared with that of any of his superiors. Even the Superintendent, whom all your memorialist will chalenge, in order to prove what qualities he possesse

11. Your memorialist therefore does rightly believe that

on

on the mere hearsay of the Superintendent the Inspector General is not even pleased to hear him either personally or in writing So how can justice be done to him? And how is your memorialist to prove that he is mis-judged? Thus finding no justice under his Officers your memorialist humbly begs to approach the extreme doors of justice at the gracious and just hands of your Highness and most respectfully craves of your Highness to do justice to him, to hear him fully, and to take pity and mercy on his sufferings under Mr.Hume Wright for acting against his illegal orders.

12. Your memorialist possesses no recommendation and support except Heaven above and Your Highness below.

13. Your memorialist now most respectfully begs permission to enter on a quite different subject. Notwithstanding his humble position, his low pay, and his subordination,etc.yet in the interests of his own self he most darely begs to bring out several of the irregularities and mismanagements of Mr.Hume Wright to that just notice of your Highness which has ever pitied on poor sufferers. Your memorialist in the following lines is going to bring out only such of the innumerable facts that he can now prove to the entire satisfaction either by records or by vouchers,etc.

(i) Mrs.Hume Wright in a note asks your memorialist on 14th:September'04 to supply her with two maunds of fire wood. Unfortunately your memorialist having failed to supply her the same on that one day your memorialist was removed by the Superintendent from the Ration Charge,which removal the Superintendent substantiates to say that the case of the burglary of Ragi bag was a concocted one and that your memorialist was at the bottom of it.

(ii) Mr.Hume Wright has cut down from the Jail Garden and compound several big mango, jack fruit and other trees to fire wood in quantity not less than fifty tons, valuing in the least Rs.400/-;and removed all the wood and brought

all

of it in his and Chief Jailor's private uses,etc. For this property of the Government no single pie has been paid as cost, nor even a maund of it was publicly sold on behalf of the jail(Govt), and neither a single piece from the said wood was allowed t o be taken for the Jail use. All this Government property Mr.HumeWright the Superintendent and Mr.Smith the Chief Jailor have brought down in their private uses,etc. ~~Excepting~~ to this sum of Rs.400/- ,the cost of the firewood, Rs.100/- more is also to be added as labour of convicts employed in cutting the big trees. As the convicts employed on this special but private purpose of cutting the trees and removing the firewood to the Superintendent's bungalow numbered about 40 or 50 every day as can be evidenced by records.

(iii) Mr.Hume Wright was sending prisoners to the following place without proper sanction. The chief reason being that they are his friends and places personally connected with him:--

(1) Club

(2) Bangalore Rifle Volunteer Barracks

(3) Rev:Walton's bungalow

(4) Convent of the Good Shephard

(5) Government Central Press

(6) Indian Cycle & Gen: Engineering Co.

No charges have been received from the above Departments and thus a continued loss of the Jail finance and that of Government. (The following are alsc a series of lcsses to Government).

(iv) Agaianst the usual Jail custom 100 seers cf gram was bought by the Superintendent for the Jail oxen; the grass in Jail itself being although so plenty that it is even sold out. This extra expense was itself a loss to Government. But still serious it is to note that your memorialist will prove satisfactorily that no gram was given to the Jail oxen but it was taken away for private use.

(v).None of the previous Supdts.considered it necessary to have any fruit garden in the Jail,as the productions of the Jail garden are solely intended for the convicts alone and fruits are not allowed to be given tc convicts. But Mr.Hume Wright has considered it necessary tc have a fruit garden in the Jail at the expense of the Government, and convict labour employed for it. All this is only in the personal interests of the Superintendent, who

who alone takes up all its productions always free, without any charge, and exceptionally some times for a very low and nominal price. If the statement of your memorialist is not correct can the Superintendent explain to your Highness, to whom else the productions of the fruit garden have been sold? For what prices the Superintendent has bought the valuable fruits of this garden? Or can the Superintendent say what profit he has shown to Government by this garden either in finance or in any other way?

(vi) The Superintendent keeps up habitual and recommitted convicts two, who work for him as domestic servants very late in the nights in his bungalow, and has made some of them and other his favourite convicts as work overseers and Maistries. The cost of the turbans, that these work overseers and Maistries are given against the rules, is a loss to Government. Especially in the case of such convicts as Nos.2421, 883, 1395, & 970, etc: for whom there are special orders of the Inspector General that turbans should not be given. Because these include such convicts as have escaped and ran off the jail. This is strictly against the Jail Manual. Thus all such facts cause the breach of Jail discipline, which results in such serious quarrels, etc: as the one lately among two convicts, which resulted in a murderous attack on one of them, and which case is still under disposal in the Court of the Sessions Judge, Bangalore.

(vii) There were several sheds built by former Superintendents for the use of Jail staff, at an expense, your memorialist believes, of Rs.800/-. These sheds were again improved at a further expense. But Mr.Hume Wright did not allow Warders to use these houses, and knocked them out and gave away all the articles of these houses (Government property) free to his men.

(viii) One rose-wood card table was sold to Col.P.H.Benson for Rs.12/- by the Jail Store, and another one exactly similar in all respects, the Superintendent scribbles and writes "Small one" and took it about June or July'04 for

only Rs.5/- This fact can be evidenced in the Sale Register of the Jail.

(ix) A bullock belonging to the Jail was kept by the Superintendent in his private use, to drive cart,etc: This was valued at Rs.80/- This fine ox died on a public road (outside the Jail), as it was driving a cart of the Superintendent.

14. The facts that your memorialist now begs to include in this paragraph are those that have been touched by the Auditor in his report. These two being very serious your memorialist begs to add here also,in order ~~that~~ that the character of the model and highest Officer of Government may be compared by your Highness with that of a poor and unsupported subordinate, like your memorialist, and justice be done to him:--

(i) One piece of matting is charged at 8 annas a Sq.yard and taken by the Superintendent from the Jail Store. This price is inordirate, the value in Jail catalogue being 12 annas a Sq.yard.

(ii) One carpet valued at Rs.72/- according to price list was sold by Mr.Hume Wright, to his friend, one the Rev: A.H. Kroot for only Rs.35/- (less than half the price.)

(iii) About December,1902, one rug costing Rs.7/8/- was removed by the Superintendent from the Jail and has neither been paid by him nor returned to the Store.

(iv) One wooden chair, one arm chair, 2 screens, one camp table and two camp cots belonging to the Jail were in the private use of the Superintendent.

(v) About July'02 several articles were repaired by the Superintendent in the Jail,and as usual charges were entered against them, but the Superintendent scored the charges out, on the ground that he is Superintendent and is entitled to all such privileges .

(vi) 8 Cotton carpets were in the private use of the Superintendent in his house, when the Auditor questioned this the plea was that they were samples sent out.

(vii) A coir matting supplied to Mr.Hume Wright's private use is charged to the Jail whitewash fund.

(viii) One carpet Resident's pattern costing Rs.25/7/1 is taken by Mr.Hume Wright for only Rs.15/- about June'03.

5. Your memorialist suspecting worse results,etc.used to stop male convicts from going to Matron's quarters situated amidst the female prison and even suggested this stopping personally to the Superintendent and the Chief Jailor, who against his suggestion ordered your memorialist that he should not forbid prisoners, as this will never result in any worse. Not sufficing at this personal order of the Superintendent and expecting a bad spot to come on the Central Jail administration, should the convicts have such freedoms, your memorialist again used to stop and forbid male convicts from going to Matron's house. Then he was seriously ordered by the Superintendent that he should not interfere in this matter and the Chief Jailor communicated your memorialist the said order in a writing. Thence forward your memorialist had to fear for "Disobey of superior Officer's order" and had not to interfere in the matter as directed. What your memorialist suspected was exposed in the case of a female, one Hyathbi, formerly a convict of the Central Jail, which was even brought to your Highness' notice. And although your memorialist possesses such a conduct and qualifications he has been punished by the Inspector General and has been remarked only on the mere hearsay of the Superintendent that he lacking in qualities and that his conduct is most unsatisfactory. Is this justice? Another and still worse result of the mismanagement of female prison and freedom to all is the worst case of the daring trespass of an Officer, the Acting Chief Warder, in the female prison, and that too in the absence of the Matron, about July 1904. Which incident the Superintendent considers an ordinary one and sufficed at warning the said Officer; and the Inspector General considers it the one to be fined by a week's pay, whereas both the Officers considered that your memorialist should be punished by degradation and reduction for the false and unproved reason that he concocted the case. And is this just

16. Even when convict No.6950 escaped from the Jail about 6th April 1904, the Officer in the actual charge of the convict was never enquired into, but a Warder was temporarily degraded for 6 months. On the other hand in the simple ragi bag case ref -erred to above , the Superintendent has pulled out your memorialist and has punished him for nothing, just as he did on a cer -tain occasion when your memorialist was falsely reported to have come late by half an hour, although the Superintendent himself has forgiven absence of days of other Officers. Is this justice? And is it, because that such a justice has been done in your memorialist's case that the Inspector General has refused to hear him either in writing or personally.

17. What your memorialist has stated in the above paras is only that which he can prove to the entire satisfaction by records &c., to any Officer commissioned for this purpose. But your memorialist does also begs to state that should the enquiring Officer be the Inspector General himself, surely there is fear for your memorialist that there will be partiality in favor of the Superintendent, as has been the case on many former occasions.

18. Besides the above facts your memorialist also begs to say a few words about Superintendent's partialities towards his favourites. Although it was reported to the Superintendent that on Sunday the 25th September 1904 a convict was seen riding on a horse and then swimming in a dangerous tank, the Superintendent took no notice of the report, although the actions were not only highly prejudicial but also opposed to law in the event of convict drowning himself of his own accord or in the event of an accidence. About December 1902, Mr. HumeWright has fined Re.1/- to the Chief Warder only for giving a work to a convict on a Sun -day, as this is against the Jail Manual. Whereas he himself forgave the Officer responsible for the action of convict's riding and swimming, and that too on a Sunday. Only because this Officer, (the Deputy Jailor), and the Superintendent are both Ro-

Roman Catholics. Your humble memorialist also referred this mat-ter in his appeal to the Inspector General submitted through the Superintendent. When the Superintendent noticed this matter brought to a superior Officer's notice, he at once attached a slip in his Order Book, just to show that he had enquired the matter. Even in this slip the Superintendent says that he has warned the Deputy Jailor for this action of his,--an action that might have proved "abatement of suicide" on the part of the Deputy Jailor. Whereas he considers only for his revenge against your memorialist, that he should be punished so seriously, although innocent. And is this justice?

19. Under these reasons and for these circumstances your memorialist most humbly and respectfully begs to pray Your Highness to be graciously pleased to do justice to him in this his poor and unsupported case , in which he has been so worstly treated by the Superintendent. He also prays Your Highness to cancel the punishment that has been unjustly passed on him by degrading him from an Officer to a 1st Grade Head Warder, without any fault. Your memorialist is a poor man of children and large family, therefore he begs Your Highness to be graciously pleased to order to confer on him the next higher post of Chief Warder which at present is vacant in Central Jail. Or should your Highness be graciously pleased to order to grant your memorialist the post of a Sheristadar in the Revenue Department , he, his large family, and his children shall ever live the happy life to pray for Your Highness and the Royal-House.

20. It is not out of place for your memorialist to add here that he is the grandson of the so well-known Raja Khan Sahib , of historic fame, (Vide Gazetteer of Mysore &c.,), who was the Musaheb-i-Khas and Bakshi of Nawab Tippu Sultaun Bahadur , and also who served H.H.the late Maharaja Sri Krishnarajendra Wodeyar Bahadur as the Bar Bakshi and Chief Justice &c. The services of your memorialist's grandfather, the said Raja Khan Sahib, were so well appreciated by both his masters the Sultaun and the

Maharaja

Maharaja, that he was granted by both these Sovereigns the Jahagir of Dodda Katoor, and several other Inams of wet and dry lands. While the British Government was pleased to grant him a special pension of Rs. 291-10-8 per mensem. Your memorialist's father Khader Halim Khan Sahib too was the Barr Bakshi. And the two uncles of the memorialist, Budden Khan Sahib and Gulam Ahmed Khan Sahib were also Bakshies of the Barr Cutcherry and Sadar Adalat Cutcherry, respectively. Thus your humble memorialist bears a special pride of being a lineal descendant of such a noble and famous old Mahomedan House of your Highness' State. And being a descendant of such a respected house your memorialist and his son have the special honor of being invited to your Highness' Royal Palace annually to the Dasara and Birthday Durbars and also to other Durbars of Marriages &c.

21. In conclusion again your memorialist begs to urge on Your Highness to do justice to him , and to cancel the punishment unjustly imposed on him and to grant his humble prayer most respectfully prayed in para 19, or to be so graciously pleased as to make some other means for the livelihood of your memorialist, his children and his large family by granting him as a special case a pension &c., sufficient enough to maintain his large family.

For which gracious acts of charity, generosity, and of justice, your humble memorialist, his large family and posterity shall ever pray for your Highness' long life , peace and con-tinued prosperity.

He begs to remain

Your Highness'

Most loyal, humble, and obedient

Servant,

(Sd). B.Muhammad Ali Khan,

Address:-- Old Sawar Lines Square

B A N G A L O R E.

Dated

16 December 19

From The Inspector General of Prisons in Mysore
Bangalore.

To The Superintendent
Central Jail Bangalore.

Dated 4/5 . 11 . 04 Genl. No. 1183 / No. J Enclose

His no. 551 dated the 27th october 1904, forwarding for a petition from 1st. Grade Head Warder B. Muhammad Khan, with his remarks thereon.

Has the honour to request that the petitioner may informed that unless the matter of his petition is put co t will not be considered.

The enclosure is herewith returned.

(Sd.) T. S. Nanjappa
for Offg. Inspector General of Pri

No 636 Copy with its enclosure forwarded to B. Muhamed Ali. Grade Head Warder Bangalore Central Jail, for information a guidance. 10 . 11 . 04. (Sd.) G. Hume Wright,
Superintendent
Central Jail, Ban

(True Copy)

From Lt. Col. J. Smyth M.D., I.M.S.,
officiating Inspector General of Prisons in Mysor

To G. Hume Wright Esq.
Superintendent Central Jail.

Dated 21st November 1904, Despatched 22.11.04. Ge

Correspondence ending with his no. 650 dated the 14th instant for disposal the appeal petition of Muhammad Ali Khan, Firs Head Warder × : × : × : ———

With reference to the above, has the honour to requeit petitioner may be informed that the undersigned has car considered his case and considers that he (the petitioner) la necessary qualifies for the position he held. He thinks he de such qualifies but the undersigned differs from him and that of the matter.

(Signed) T. S. Nanjappa
for Offg. Inspector General of

No. 786. True copy is herewith sent with reference to his appl dated 5th December '04 and his petition cannot be forwle I. G. P. as he has passed a final order.

9 . 12 . 04. (Sd.) G. Hume Wright
Superintendent. Jail

(True Copy.)

Prisons file No 11 of 04-05.
Sl No 8

16

MYSORE GOVT. GENL. & REV. SECRETARIAT.

Dated Bangalore, 23 Jan 1905

No. J 2056 d/27-1-05
Pris: 11-8

OFFICIAL MEMORANDUM.

(to be duly returned)

The accompanying Petition No. 11188 dated 16th Dec 04 received ~~at the Dewan's Office~~ from Mohamed Khan, late by Police Warder, Bangalore Central Jail, Complaining against his degradation

is forwarded, ~~together with its enclosures,~~ to the Inspector General of Prisons for thorough investigation and early report.

By order,
24-1
for Secretary.

Dewan's order]

SW 24-1-05

Copied 25/1/05
Examined SW 25/1/05

K.N.S. Enc 2 files. Memo No. 11 Serial No. 11 F 1194

No. 307/J Office of the Inspr. Genl. of Prisons in Mysore,

Dated Bangalore, 21st/23 February 1905.

From

Lt.-Colonel J.Smyth M.D., I.M.S.,

Offg. Inspector General of Prisons in Mysore.

To

B.K.Venkatavarada Iyengar Esqr.

Secretary to the Government of

His Highness the Maharaja of Mysore,

General and Revenue Departments.

III 23/2/05

Sir,

In accordance with Government Proceedings No. J2056 dated 20.1.05, I have the honor herewith to submit my report.

2. The Head Warder's first complaint is that he was reduced without sufficient cause by me. My reply as given in the report. The first essential in a Deputy Chief Warder was a sense of discipline - This man has little or none of this sense, while he had just been relieved of the Ration duties for carelessness or worse. It was impossible to retain a man of this stamp in the position of Deputy Chief Warder.

3. The 2nd complaint is that because he failed to supply Mrs.Hume Wright with firewood he was relieved of the charge of rations - as there is no evidence of this the charge must be considered to be false.

4. The 3rd complaint is that Mr.Hume Wright cut down Rs. 400/- worth of trees and used them up for his own use.

The report shows that Mr.Hume Wright did cut down 4 or 5 trees and lopped a considerable quantity of branches - but to nothing like Rs.400/- in value.

I consider it proved also that some of this timber was forwarded to both the Superintendent and Chief Jailor - It is not possible from the records to say how much of the timber shown as issued from the Jail to the Superintendent

1905

From
The Inspector General of Pris
in Mysore

To The Secretary to
Govt of H.H. the Mah
Raja of Mysore, Cl
Dep

Dated 21.2.05

Despatched 23.2.05

Received

General No. 307
No. 1

Enclosure No.

Submits report
an enquiry into the all
made by Mahomed
Ali Khan, Head War
Bangalore Central J
in his petition to H
Highness the Maha
of Mysore, dated 16.1

and Chief Jailor was got from the Contractor and how much from the garden. It is simply entered as "firewood"; sometimes the weight is given, chiefly when it was sent to the Superintendent - mostly the weight was not given, but merely "bundle of firewood". Both the Superintendent and Chief Jailor say that loppings from the Jail garden had hither to never been sold, but used by the Superintendent and Jailors free.

In regard to this I wrote to Mr.Sparkes who had long been Superintendent of the Central Jail, and who therefore would, I thought, be able to give me a good idea of the custom that prevailed in his time. For, I was in the unfortunate position of not being able to get any definite information on the matter from the book that is euphemistically called the Mysore Jail Manual. Mr.Sparkes wrote to me in reply:- "In my time the garden stuff was invariably sold, the poorer classes of Jail peons alone being allowed to take vegetables at a trifle cheaper rate than others. All other officials paid full price for them. Small baskets of vegetables were daily supplied to some people in the High ground at Rs.3 a month. As regards trees and branches lopped, the stuff was dried and sold to the Contractor, and no Jail officials were allowed to take it even on payment". In regard therefore to this complaint I consider it proved that the Superintendent did cut down a few trees and lopped others, and that a certain amount of the stuff was sent, as alleged, to the Superintendent's and Chief Jailor's quarters but nothing like the amount that is alleged to have been sent viz., Rs.400. Whether there was any custom that such stuff was formerly used by Superintendents and Chief Jailors free, we have the evidence of the present Superintendent and Chief Jailor in the affirmative, and that of Mr.Sparkes in the negative (at any rate during his own incumbency as Superintendent). That there may be no doubt about what shall be

the

the procedure, in future, I will submit a new rule to be embodied in the new Manual to Government for sanction. In Madras the Rule is clear and after long trial has been shown to give satisfactory results, and we shall not be far wrong if we adopt the Madras customs in the e matters. Regarding the firewood sent from the Jail, there is nothing to show that the Superintendent did not pay for it, whether it came from the garden or from the Contractor.

There is evidence that he paid at least Rs.6 for the garden loppings, and as to what he got from the Contractor his word must be taken for it that he did pay for it, but has lost the receipts - owing to the lapse of time. Besides it has been a regular custom during his superintendence to allow all Jail officials to buy firewood from the Contractor at 15 lbs. per one anna.

The Chief Jailor admits he has not paid for several months and says that it is owing to the garden Jailor not having sent him his bill. But it was his business to see that the Bill was sent, and to that extent, at any rate, he is culpable. But his culpability may be great or it may be small. I know personally how difficult it is to get bills from subordinates, or even from Government offices. I have just got a bill - for the first time - so far as I can recollect for a debt said to have been contracted about 6 years ago. From another Government office I can't get my account, not even after repeated reminders.

In regard to this debt of the Chief Jailor therefore, did he allow it to slide wilfully or not - on this issue must his guilt be decided. He says it was an oversight - who shall say it was not?

At any rate, his attention will be invited to the point.

5. The 4th complaint need not be considered here - Vide Report.

But the allegation made are quite unfounded.

6. The 5th complaint is that 100 seers of gram were bought for the Jail oxen and taken away for private use. It will be seen from the report that the Chief Jailor has been borrowing or attempting to borrow horse gram from the Jail stores. There is no evidence that he actually succeeded in getting the gram, beyond Mahamed Alli's statement, and this is the whole evidence of the Jail gram being diverted to private use.

At the same time it is clear that the Chief Jailor thought it was quite permissible to borrow the Jail gram when he liked; and he thus laid himself open to have the present charges brought against him, and committed an act than which nothing could be more subversive of discipline, and which demonstrated his unfitness for his responsible post. As to Mahamed Alli's part in this affair he proves himself to be a rascal of the first water. The Jailor cannot now say whether or not he ever got the 40 seers of gram he indented for on the then Deputy Chief warder Mahamed Alli. Mahamed Alli says the Jailor did get the gram, but that he did not return it. He says he never reminded the Jailor that the loan was not returned, nor reported the fact of the loan not being returned to anyone whatever. In fact he has kept this up his slieve ever since, never having the slightest intention of saying a word about it unless he came to grief himself, or could put it to some purpose by way of black mail against the Chief Jailor. He has thus demonstrated his innate dishonesty and total unfitness for any responsible charge whatever. No wonder he was slack himself - he felt he had the whip hand with the Chief Jailor and might do as it seemed to him convenient. I have ordered his removal from the Jail Department permanently.—

7. The 6th complaint regarding the starting of a fruit garden by the Superintendent is simply frivolous and needs no comment here.

8. The seventh complaint regarding the Superintendent keeping habitual convicts late at night at his bungalow i not supported by any evidence. The Superintendent says it absolutely false. In regard to the rest of the complaint Superintendent has in no case made convict overseers in t strict sense of the term out of "habituals" without the sanction of the Inspector General of Prisons, but has mad such men gangers and given them turbans without any clear authority - Such gangers however do work themselves, and they get no marks as overseers. The Superintendent will b asked to explain this procedure.

9. The eighth complaint is about certain huts built by former Superintendents which the present Superintendent w not allow the warders to occupy. It needs no comment here it is false and frivolous.

10. The ninth complaint about the table is simply false.

11. The tenth complaint about the Superintendent using t Jail bullock till it died is founded on fact. The Superin dent did use the Jail bullock without permission and it died in his service. Vide Report.

12. The eleventh complaint is already dealt with by me i connection with the Auditor's report - and is frivolous.

13. The twelfth complaint is a tissue of falsehoods and needs no comment here.

14. As to the thirteenth complaint contrasting his punis ment with that meted out to the acting Chief Warder, noth needs be said beyond what is in the Report.

15. The same may be said of the fourteenth complaint.

16. The report also deals sufficiently with the fifteent complaint.

17. So much by way of commentary on the Report. It seems clear from it that the Superintendent assumed to himself petty privileges to which he has no right more than any other official in His Highness's service, than which hard

any procedure could be more conducive to insubordination and slackness amongst his men. But as I have already said, definite instructions will issue on the matter.

The Chief Jailor has gone further - he has been trying to get the Jail gram for his own use on loan, and perhaps succeeded. He may have meant no evil but such acts are so subversive of discipline that a Jailor who indulges in them is unfit for his position. Then he has not paid his firewoo bills on the frivolous excuse that his bills were not presented by the garden Jailor. But when it is considered that he is directly responsible for all accounts, this excuse barely holds water. He should be retired. The petitioner has demonstrated himself to be quite unworthy of trust and is accordingly dismissed.

The Memorial is returned herewith.

I have the honor to be,

Sir,

Your most obedient servant,

M.D.,

Lt.-Colonel I.M.S.,

Offg. Inspector General of Prisons.

T.C.G.

ENQUIRY INTO THE ALLEGATIONS MADE BY MAHAMED ALLI KHAN, HEAD WARDER, BANGALORE CENTRAL JAIL, IN HIS PETITION TO H.H.THE MAHARAJA OF MYSORE, DATED 16TH DECEMBER 1904.

Commenced 5.1.05

PETITION.

Complaint para 6 et seq.

1. That he was reduced from Deputy Chief Warder to Head Warder because he was supposed to have concocted a theft of ragi to ruin the Deputy Jailor.

Reply.- It is true that after the investigation held in the Jail by the Superintendent the latter did seem to be under the impression that Mahamed Alli was at the bottom of a conspiracy to get the Deputy Jailor into trouble. But when I went through the matter myself, while there was grave suspicion that Mahamed Alli had a hand in bringing about the so called theft, the punishment awarded to Md. Alli Khan was decided after setting aside this suspicion entirely. He was punished:-

(1) because he neglected to take any steps in regard to a toty that was wandering through the Jail alone, a man whom he knew should have been at work

work in the garden;

(2) because he neglected to keep a certain gate closed at certain hours though he knew or should have known that the said gate should be kept closed.

(3) as he has already been severely punished for care lessness in the issue of rations - I considered there was no good in going on fining such a man that his general conduct was such as not to entitle him to be put in position of serious trust.

Complaint 2.

Para 13.

That on 14th September 1904 Mahamed Alli having failed to supply Mrs.Hume Wright with 2 maunds of firewood, the Superintendent removed him from charge of the Rations.

Reply.- It is true that on a certain day Mrs.Hume Wright sent a chit to the Jail for 2 maunds of firewood. The date of this chit is unknown but Mahamed Alli has written on the back of it "that it is inconvenient to supply the firewood 14-9-04". He has kept this chit in his possession since. There is no evidence as to whether the firewood was supplied or not, nor other evidence than Mahamed Alli's own

statement as to the date of the transaction . So it is impossible to say whether it was before or after he was removed from charge of the rations. However he was remove from the charge of the rations on 16.9.04 for issuing bad rations, fined £5 for the same. I may say that when the said chit was shown to Mr.Hume Wright he said it must be a forgery so much did the signature differ from Mrs.Hume Wright's usual signature. However on showing it to Mrs.Hume Wright she said it was her signature.

As to how it comes about that Mrs.Hume Wright was getting firewood from the Jail I find an order in the Jail Office book that wood may be had from the Contractor by the Jail Officials at 15 lbs. for one anna and that a man must be placed in charge to keep the book, and that the Chief Jailor will be responsible for the issue of firewood - date 26th June 1902. At that time, according to Mr.Hume Wright the wood was supplied in bulk and put in charge of the Deputy Jailor. The present arrangement is that the Contractor keeps the firewood in his own charge and it is issued as required by the Jail daily on indent signed by the Chief Jailor. This arrangement has been about a year in force. Mahamed Alli says that previous to 14th September 1904, the alleged date of the chit from Mrs.Hume Wright

referred

referred to above, he used to give firewood from the garden to Mr.Hume Wright's peons without any chit. They would simply come and ask and he would give it.

Complaint 3.

That Mr.Hume Wright cut down Rs.400/- worth of big mango, jack and other trees - about 50 tons using up the wood for his own and Chief Jailor's private use.

To investigate this I went round the garden conducted by Mahamed Alli, and with Mr.Hume Wright and the Jailors. The first two stumps pointed out seemed to be those of gold mohurs, judging from the shoots from the stumps.

The Superintendent said he would swear that he never cut them down. It was not easy to say from appearances when they were cut, but I should say within 3 years and over one year. None of the Jailors could say when they were cut down.

The next stump was that of a mango, which the Chief Jailor said he believed had been cut down by the D.P.W., as it was beside a sewer pipe. The exact date no one could give me, but all were positive that 2 or 3 trees were thus cut down about a year ago.

The next stump was that of a fig tree. No one knows when it was cut. Mahamed Alli says a year ago: an old warder says 4 months ago, which is clearly wrong. The Superintendent says he has not cut a tree for more than a year.

The next stump was that of a Jambal tree. This was cut down by the Superintendent to make room for Plague huts for the warders.

We next saw about a dozen stump of trees along the border of the garden near the wall. The Superintendent says he never cut one of these, and never cut a boundary tree at all. One old tree covered with creepers he did order to be cut down, but his order has not yet been carried out.

He has often lopped branches off these boundary trees when they over hung the wall as a precaution against their being used as a means of escape.

About the middle of the garden are half a dozen half burned old stumps. Some of these the Superintendent cut down either because they were already dead, or interfered with the gardening.

There is about a ton of loppings now in the garden shed for sale to the Jail officials. The present Superintendent has up to date paid Rs.6-15-6 for garden loppings.

he Superintendent says, and so does the Chief Jailor that, no previous Superintendent ever sold these loppings. They were used free by himself and the Jailors.

Vegetables, which are regularly sold now, were also issued free to Jail officials before. (This is the Madras Rule).

I have had the Deputy Chief Warder's (Mahamed Alli) diaries carefully searched by Dr.T.S.Nanjappa as they are in Canarese. The only entries of green wood having been sent out of the Jail by him are on 22, 23, 24, 25 June 1903. He says after the out-door gang came home, they were employed to remove loppings from the trees in the compound to the Superintendent's and Deputy Jailor's quarters - This must be taken as true for the entries are duly countersigned by the Chief Jailor.

In the gate book is an entry dated 22-6-03 of a basket of chips to the Superintendent and one bundle of firewood to Chief Jailor.

On 23-6-03 - a basket of wooden chips to Superintendent.

On 24-6-03 - a basket of chips and cowdung cakes to Superintendent.

Superintendent.

On 25-6-03 - a bundle of firewood to Chief Jailor.

On 27-6-03 - 10 maunds of firewood from Contractor t Superintendent's quarters, and one bundle of firewood to Chief Jailor.

30-6-03 - 2 maunds of firewood to Chief Jailor's quarters.

The gate boo s were examined from beginning of 1900 to end of 1903. No firewood was entered as issued to either Superintendent or Jail Officials up to 5th March 1903, when one bundle of firewood was sent to the front gate. From that date onwards one bundle of firewood was sent to the front gate every other day - to whom is not stated until 21st April 1903; from which date onwards till end of July 1903 one bundle of firewood was issued once in 2 or 3 days to the Chief Jailor. From 19th June to the end of December 1903, about a maund a day was issued to the Superintendent Bangalore Central Jail.

On enquiry as to whether these issues had been paid for, the Superintendent says he has lost the bills, being so remote a date; the contractor could only produce bills altogether, one of which was for the Chief Jailor, and another the Superintendent's but addressed to the Chief Jailor. They were on scraps of paper. The Chief Jailor

.dmits that he has not paid for the wood supplied on the
.ates referred to but attributed the omission to neglect
)n the part of the Jailor in charge of the garden to send
.im his bills. So much for the firewood question. It is
:lear that both the Superintendent and Chief Jailor did
'eceive quite a considerable quantity of firewood, some
'rom the garden and some from the Contractor. There is
:vidence also that the Superintendent was getting firewoo
'rom the garden and Contractor at the same time. As I hav
.lready shown any of the Jail officials was at liberty to
)uy from the Contractor at 15 lbs. per anna, by order of
:he Superintendent. I have already said that the Superint
.ent has said he has lost the Contractor's receipts as th
:ransactions took place so long ago; and as to the Jailor
.e has not paid owing (as he says) to the Jailor in charg
)f the garden not having sent him his bills.

As regards the Superintendent I have shown that he h
)aid six rupees and odd for garden firewood - since the d
.e assumed charge of the prison.

Mr.Hume Wright wrote to me on the 13th Instant (Feb-
:uary) that the D.P.W., sold trees similar to those he ha
:ut down for 15 annas at the highest.

As to what became of the trees the Superintendent
.dmits having cut down, the Superintendent states, to the

best of his recollection, only 4 or at most 5 trees and some stunted shrubs - about 3 were cut down under his orders Of trees which were fairly straight and seemed likely to be made use of he ordered the Chief Jailor to have cut into proper size and used for the Jail carts, poles &ca. The Chief Jailor reported that he had used those for a Jail cart and for posts for the garden. All other wood being u_eless except for firewood was ordered to be chopped and kept in the godown, the Contractor having the option of buying it if he liked. The smallest wood was given to the potter for use, as was the Jail custom.

As to the statement of the Chief Jailor that it had always been the custom for the Superintendent and the Jail officials to use the loppings of the garden free, it is very difficult to get evidence either to prove or confute it. My own impression is that there have always been petty pickings in these Mysore Jails that would not be tolerated in British Jails, and the sooner they are done away with, the better. They involve no real loss to Government but they encourage laxity in regard to ~~[illegible]~~ and ~~treasure~~, and should be suppressed.

Complaint (4) re Jail Convict labour. This has been touched upon in the Jail Audit

5.- This has been fully gone into in connection with the Auditor's

uditor's report vide my No.1187 dated the 4th November 904 to the Comptroller to the Government of Mysore and atisfactorily explained and requires no further notice ere.

Complaint (5)

That 100 seers of gram was bought by the Superinte ent for the Jail oxen; no gram was given to the oxen bu t was taken away for private use.

- In proof of this Mahamed Alli produces a chit in red encil written by the Chief Jailor on 14-5-02 to Deputy hief Warder (Mahamed Alli Khan) "Please send 40 seers of orse gram by bearer, will return same tomorrow". He Mahamed Alli) says he gave the gram, as asked for, but it as not returned. He never reported that it was not return- d. The chit was dated 14th April - but no gram is shown in he books as having been purchased [illegible] 1902 ill 13th June 1902. Still, of course, there may have been ome old gram in the store.

The Chief Jailor says he has no recollection of the ransaction whatever as it is about 2½ years ago. He admits aving tried to borrow the gram - the chit proves that much; ut whether he got it or not, he has no recollection.

Mahamed Alli

Mahamed Alli has no receipt for the gram, and did not report that he had lent it, or that having lent it he never got it back. Any how it is clear no one would ever have heard a word about it if Mahamed Alli had not got into trouble, and this investigation had not been held as a consequence.

Complaint (6)

The Superintendent considers it necessary to have a fruit garden worked by convict labour at the expense of Government, ~~who~~ he alone takes up all the production always free.

y.- The fruit garden is a very small one - of about a year's standing. It takes the place of an old lucerne bed which never paid. There are half a dozen or so fruit trees and raspberry bushes - It appears to be a failure too, and has only been kept on this year at the request of the Chief Warder who hopes to make it productive in a year or so.

Complaint (7)

The Superintendent keeps habitual recommitted convicts late at night in his bungalow and made some of these and others his favorite convicts, work overseers & maistries.

These changes the Superintendent denies. The orders

.re that no habitual or recommitted convicts shall be
)laced in the out-door gangs. So that if such a convict has
)een sent to him it has been against his orders. Mahamed
.lli named several convicts as men who had no right to be
iade maistries, and I went into every single case. In no
:ase had a convict been made a maistry in the proper sense
)f the term, contrary to Rules, but he had made several of
;hem who could not be made maistries, work-overseers in a
.imited way; that is they were put in charge of in-door
;angs to keep them at work, but had to do a certain amount
)f work themselves and got no marks as maistries. They were
iowever provided with turbans like maistries, for which
the Superintendent had no authority.

Complaint (8)

Several sheds were built by former Superintendents for the use of the Jail staff. Mr.Hume Wright did not allow the warders to use these houses, knocked them down and gave the articles away freely to his men.

/.- The men flatly refused to live in the huts. Mahamed Alli himself refused even after the Superintendent had offered to make his shed specially comfortable for his gosha family. The sheds thus became delapidated, the thatch

was

was offered for sale by auction, but no one turned up except one man, to whom, it was sold at a nominal price, as it was rotten and ant-eaten. I saw a quantity of the timber of the roofs of the said huts ~~is~~ in the Jail godowns, but it is fit only for firewood.

Complaint (9)

One rose-wood card table was sold to Colonel Benson for Rs.12/-, another, exactly similar, the Superintendent scribbles and writes small one and took it about June or July 1904 for only 5 Rupees.

ly.- Inspected the sales register. From which it was clear that the table supplied to himself (slipper) consisted of only the rose wood and labour, whereas that sold to Colonel Benson included Baize Cloth which cost 4 rupees a yard and it took about 2 yards for the table. Colonel Benson's table was also a little larger than that taken by the Superintendent.

Complaint (10)

A bullock belonging to the Jail was kept by the Superintendent in his private use to drive cart: value Rs.80/-. This ox died as it was being driven in the Superintendent's cart.

Mahamed

Mahamed Alli now adds that the bullock was 1½ month in the Superintendent's use prior to its death, being kept at the Superintendent's quarters by day, and in the Jail at night. He saw it going there daily.

eply.- The Superintendent says he did borrow the bullock 3 or 4 times, at the most for an hour in the morning and evening, and on the last occasion it dropped dead. The facts were reported to the Inspector General of Prisons (Colonel Benson) who authorised the purchase of a new bullock. The office records show that the bullock died apparently of loading of the heart with fat from idleness.

Complaint (11)

Reply.- This is practically a copy of the Auditor's report in the matter concerned, and has already been fully dealt with by me in connection therewith.

Complaint (12).

Mahamed Alli says "he used to stop male convicts from going to the Matron's quarters situated amidst the female prison and even suggested this stopping personally to the Superintendent and Chief Jailor, who ordered your Memorialist that he should not forbid prisoners &ca, and that

t

the said order was finally given to him in writing.

ply.- The Superintendent declares that this is absolutely false. Mahamed Alli has no evidence to support his statement. In support of it he produces a chit which was sent to the Deputy Jailor by the Chief Jailor dated 15-5-02 ordering the former to send a male prisoner (name illegible) morning and evening to clean up the back yard of the Matron's quarters, which has no bearing in matter whatever.

Complaint (13)

That whereas he, Mahamed Alli, notwithstanding all his efforts in the interest of purity as set forth by him, has been punished by the Inspector General of Prisons "on the mere hearsay of the Superintendent" has been punished by being reduced in rank, the acting Chief Warder has got off with a warning from the Superintendent and a fine of a week's pay for the offence of going into the female compound.

Reply- It is untrue that Mahamed Alli was ever ordered, in writing or otherwise, not to persist in his efforts after "purity"; nor is there any evidence that he ever put forth any such efforts. As to the acting Chief Warder's misconduct and its punishment, he did enter the female enclo-

enclosure, in broad day light, but on duty as clearly proved, his offence consisted in going in alone, and for this I fined him two weeks pay.

Mahamed Alli was not punished for concocting anything as I have shown at the beginning of these papers, but for carelessness and general inefficiency. Worse was suspected but I was in no way influenced by the Superintendent in awarding punishment.

Complaint (14)

A convict escaped on 6th April 1904. "The officer in actual charge was never enquired into" but a warder was temporarily degraded for 6 months.

ly.- The matter was enquired into: the convict was caught in half an hour: Rs.5 was paid to the Barr Sepoy who captured him. The warder in charge was punished though not adequately in the opinion of Government.

Complaint (15).

It was reported to the Superintendent that on Sunday 25th September 1904 a convict was seen riding a horse and swimming in a dangerous tank. The Superintendent took no notice of this till he saw that it was mentioned in Mahamed Alli's

Alli's memorial to the Inspector General of Prisons, forwarded through the Superintendent. The latter then enquired into the matter and attached a slip on the subject in the Jail order book.

y.- The Superintendent denies that his order was suggested or compelled by Mahamed Alli's report. The order certainly is entered on a loose sheet gummed into the order book - an so lends itself to criticism such as Mahamed Alli applies to it - However, there are other orders gummed into this book in the same fashion.

M.D.,
Lt.-Colonel I.M.S.,
Offg. Inspector General of Prisons.
21.2.05

Esf/1 4[illegible]

No. 320, Office of the Inspr. Genl. of Prisons in M

Dated Bangalore, 23rd February 1905.

From

Lt.-Colonel J.Smyth M.D., I.M.S.,

Offg. Inspector General of Prisons in Mysore.

To

B.K.Venkataverada Iyengar Esqr.

Secretary to the Government of

His Highness the Maharaja of Mysore,

General and Revenue Departments.

Sir,

I have the honor to return the Memorial of B.Mahamed Alli Khan, 1st grade Warder of the Bangalore Central Jail and to state that it has been forwarded to me through oversight instead of the petition itself, by Mr.M.Shama Assistant Secretary to Government.

I have the honor to be

Sir,

Your most obedient ser

[signature] M.D.,

Lt.-Colonel I.M.S

Offg. Inspector General of P

111
Prisons Dept 24/4/05

File No. 1796
Serial No.

1905

From
The Inspr-Genl of Prisons
in Mysore

To
The Secretary to
Govt, Genl & Rev Depts

Dated 2 . 3 . 2 . 05

Despatched

Received

General No. 320
No. J

Enclosure No. 1

Returns the 1
of B. Mahomed
Khan, 1st grade Warder
of the Bangalore C
Jail

His Highness the Maharaja Sri Krishna Rajendra
Wodayar Bahadur, Maharaja of Mysore,

May It Please Your Highness

The humble memorial of B.Muhammad Ali Khan, 1st:Grade He Warder, Bangalore Central Jail, most respectfully sheweth:---

Recd 17.1.05

1. In continuation of his humble memorials submitted to your Highness on the 16th:December 1904 and 6th:January 1905, your humble memorialist begs to state that the Inspector General of Prisons has not yet submitted your Highness his report regarding the enquiries he made in your memorialist's case, apparently with the view of supporting the defensive statements of Mr,Hume Wright for which he has been making some searchings in the Jail records.

2. Your memorialist proved by record,etc., to the Inspector General that a large quantity of firewood, of 15 entire big trees, as about 50 tons (property of Government) was removed Mr.Hume Wright to his Bungalow for private use,etc. And this this Government property was not paid by Mr.Hume Wright.

3. Although the fact has been proved to the entire satisfaction, the Inspector General, desirous of disproving your memorialist's statement is searching in the Jail/gate books, whether such a number of prisoners as the Diary says, have been out the Jail for 4 consecutive days carrying firewood to the Bungalow of Superintendent,etc
to be found out in the G
wood was not removed pub
or by order of Governmen
it has not been paid. F
Chief Jailer, as per his
by the Inspector General
in the gate book. And si
at gate is directed by S

in the case when anything is taken publicly out of the Jail, and a passport for the same is granted the entry in the gate book is made. Anything that has no passport for it and that goes privately, without being paid, is never entered by the Duffadar in the gate book for the fear of his superior highes Officers. Many instances of these can be pointed out by your memorialist to any enquiring Officer commissioned by your Hig ness.

4. Regarding the defensive statement of Mr.Hume Wright that the firewood cut down was used for disinfection purposes and for the pottery stove, your memorialist begs to state, that none of the predecessors of Mr.Hume Wright have ever cut down any such big trees from garden and compound for any small mat as these. But withered leaves etc fallen from the trees in garden and compound, and the useless small pieces of wood fall in the Jail workshop have been used for the said purposes. Th has also been followed by Mr.Hume Wright. It is only to defen himself that such a statement has been given. These facts th Inspector General has not taken into consideration, only to support the statements of Superintendent, although not correc

5. Therefore your humble memorialist, in the interests of justice, most respectfully but darely prays your Highness tha as the Inspector General is partial to the Superintendent, yc Highness be graciously pleased to commission some other Offic to make fresh and proper enquiries, in the case of your High- ness not being satisfied fully by the report of the Inspector General, that your memorialist's all statements are exactly correct.

6. Owing to the fact that your memorialist has no other supp and that open partiality is being made by the Inspector Gene your humble memorialist is obliged to approach your highness in the name of justice and intrude in your Highness' precious time often and often. For which your humble memorialist ear nestly begs your highness' pardon and prays to forgive him an to do justice to him.

7. In conclusion your memorialist most humbly begs to urge on your Highness that under the reasons stated above and in memorials of 16th:December 1904 and 6th:January'05, your Highness be graciously pleased to cancel the punishment unjustly imposed on him and to order to grant your memorialist either the post of Chief Warder of Central Jail, which post is now vacant, or that of a Sheristadar in the Revenue Department.

For which your Highness' gracious act of kindness, charity and generosity, your humble memorialist, his children and family shall ever pray for your Highness' long, peaceful and prosperous reign.

Your Highness' most loyal, humble and obedient

Servant and Memorialist

(Sd) B.Muhammad Ali Khan,

Late Dy.Chief Warder, Central

Old Sowar Line,
Bangalore .
16th:Jan'05.

Genl. of Prisons in

Dated angalore, 2nd March 19[illegible]
3

Lt.-Colonel J.Smyth M.D., I.M.S.,

Offg. Inspector General of Prisons in M[illegible]

To

P.K.Venkatayarada Iyengar Esqr.

Secretary to the Government of

His Highness the Maharaja of Mysore

General and Revenue Departme[illegible]

Sir,

With reference to my recommendation in this Office letter No.307/J dated the 21st February 1905, forwarding my report on the petition of Mahamed Alli Khan, 1st grade Head Warder, Bangalore Central Jail, that Jailor Mr.Smith be retired, I have the honor to amend that recommendation and suggest that he be compelled to take the maximum amount of leave now due to him and retire at the expiry thereof.

2. Mr.Smith is entitled to 3 months privilege leave (two months of which has already been granted and is being enjoyed by him) combined with two years furlough.

I have the honor to be,

Sir,

Your most obedient servant,

M.I.,

Lt.-Colonel I.M.S.,

Offg. Inspector General of Priso[illegible]

T.C.G.

VIII Prisons
3.05 Mg. 6/3/05

J 1862

1905

File no. 11
Serial No. 1

From The Inspr General of Prisons
in Burma

To The Secretary to Govt
Pol & Exec Depts

Dated 2 . 3 . 05

Despatched 3 . 3 . 05

Received

General No. 372
No. ~~79~~

Enclosure No.

Suggests that C
Jailor Mr J. Smith
the Bangalore Cen
Jail, be compelle
take the maximum
amount of leav
now due to him
prefix at the exp
thereof.

Prisons
Dis 140:11
Circ 140:13

Proceedings of the Government of H.H. the Maharaja of Mysore.

Read .-

(1) Memorials of B. Muhamad Alikhan, dated the 16th December 1904 and the 16th January 1905, complaining of his degradation from the post of Deputy Chief Warder of the Bangalore Central Jail to that of Head Warder, and bringing to notice certain irregularities in the said jail.

(2) Letter from the Inspector General of Prisions in Mysore, No. 307 J, dated 23rd February 1905, submitting his report on the result of the investigation made by him.

O R D E R T H E R E O N .-

No. J 2738 dated 27/3/05
Pris: 11-13

1. There are two distinct matters requiring disposal viz:-

(1) Muhamad Alikhan's appeal against the order degrading him, and

(2) The complaint, imputing various irregularities to the Superintendent and the Chief Jailor.

2. In regard to the first point.- In October 1904, the memorialist was reduced from the post of Deputy Chief Warder to that of Head Warder. Certain correspondence then passed between the Superintendent and the Inspector General of Prisons ending with the latter's letter No.1262, dated the 21st Oc-

ember 1904, in which it was stated that the memorialist was degraded because he lacked the necessary qualifications for the position of Deputy Chief Warder. But this correspondence has not been submitted to Govt. The memorialist however makes it appear that he was degraded because he incurred the displeasure of the Superintendent Mr. Hume Wright for having refused to send firewood from the Jail, as requested in a chit sent by Mrs. Hume Wright on the 14th September 1904. The memorialist further alleges that in consequence of this refusal he was relieved of the charge of rations and unjustly suspected of having concocted a case of theft against convict No. 6433. The Inspector General states that, while there was grave suspicion that the memorialist had a hand in bringing about the theft case, he was degraded because he neglected to take steps in regard to a thoty , who was wandering in the Jail without attending to his duty, and to keep a certain gate closed during prescribed hours; and further, having been already punished for carelessness in the issue of rations, his general conduct was such as not to entitle him to be put in a position of ~~serious~~ trust. The chit for firewood ~~was produced~~. The Superintendent first suspected ~~it~~ to be forgery, but it was subsequently admitted by Mrs. Hume Wright. About this the Inspector General states thus

" The date of this chit is unknown, but "Muhamad Ali has written on the back of it' "that it is inconvenient to supply the fire-

"wood,14-9-1904'. He has kept the chit in "his possession since. There is no evidence "as to whether the firewood was supplied or "not, nor other evidence than Muhamad Ali's "own statement. So it is impossible to say whether it was before or after he was removed from the charge of rations. However, he was removed on 16-9-1904, for issuing bad rations, fined Rs5 for the same"

Before passing final orders in the matter, Government deem it desirable to peruse the correspondence that passed between the Inspector General and the Superintendent, in connection with the memorialist's degradation, the record relating to the theft case and the memorialist's removal from the charge of rations, also the orders passed about the neglect of duty in respect to the thoty and the non-closure of the gate. The Inspector General is, therefore, requested to be so good as to submit the correspondence, proceedings and orders referred to.

3. With regard to the irregularities in the Jail, only such as are reported to have been substantiated will be here referred to.

4. Complaint No. 3 is that Mr. Hume Wright cut down Rs400 worth of trees in the Jail compound and appropriated the same to his private use. The Inspector General considers it proved that Mr. Hume Wright cut down 4 or 5 trees and lopped a number of branches of others and that some of this wood was forwarded to both the Superintendent and the Chief Jailor. It is alleged that the trees felled were made over to the Jail

contractor for sale, and that all the Jail officials were by an order of the Superintendent, allowed to buy firewood from the contractor at 15 lbs an anna, while the lopings from the garden were, in accordance with a custom prevailing in the Jail, used by both the Superintendent and the Jailors, free of charge. It must here be observed, that the present Superintendent is responsible for the said practice and rule. Mr. Sparkes, who was also in charge of this jail as Superintendent, denies the existence of any privileges such as are claimed by the present Superintendent, and distinctly states, that the trees and branches lopped were dried and sold to the contractor and that no jail officials were allowed to take them even on payment. The Government view with regret that the Inspector General should have treated such absurd pretensions with any toleration and drawn differences regarding strictness of discipline and purity of management between the Mysore and British jails. The necessity for a rule or direction regarding such a plain truth as that Government property should not be misappropriated is not apparent. The first principles of honesty need not be taught to officers of Mr. Hume Wright's standing and experience and the Government look upon the whole occurence with great disappointment and concern.

It is said that the wood felled was given to the contractor, but it is not explained why it was so dealt with. Nor is

thoir any explanation that any money was r
alised from the contractor. The Superin-
tendent says that he paid Rs6 to the con-
tractor ~~and~~ but has no voucher to support the
statement. Why this money was paid to the
contractor is not stated. The Chief Jail
has not paid a pie for the firewood sent
him. The excuse urged for non payment is
that his bills were not presented by the
garden jailor. The Inspector General ver
properly rejects this excuse as flimsy, ta
ing into consideration that the Chief Jai
is directly responsible for all accounts.

Para 5. Complaint No. 5 is to the effect that the Chief Jailor, who admits the chit, is unable to say whether he got the gram. The Inspector General is, however, of opinion, that the Chief Jailor ~~has~~ was apparently trying to get ~~him~~ g for his own use on loan. The Inspector Ge ral finds fault in this respect with both the Chief Jailor and the Memorialist, and all that can, possibly be said about the latter is ~~possibly~~ that he was a weak subordinate.

As per his chit dated the 14.5.02, obtained from the Jail Store for his private use, He deems of grain - The Chief Jailor

6. Regarding complaint No. 7, the Ins-
pector General finds that while habitual
convicts were not made Mestries, they were
made gangers and were permitted to wear t
bans like those of Mestries. This the Ins
pector General says was done without auth
rity but has called upon the Superintende
to explain the procedure. This further e
planation will be awaited.

7. The next complaint is that the Su
intendent used a jail bullock which died
while it was in his private use and was

replaced by a new bullock purchased out of the jail funds with the sanction of the late Inspector General Colonel Benson. The correspondence on this subject has not been submitted, and the Inspector General will be so good as to cause the same to be forwarded.

8. Government feel at this stage constrained only to remark that the irregularities noticed in the Central Jail are most unsatisfactory and disclose serious laxity and utter disregard to the interests of Government. They however reserve the final action to be taken with regard to these officers till the Inspector General furnishes the records now called for from him. But they have no hesitation to observe that the dismissal of the memorialist, when the matter was pending before Government and when no additional grounds to be urged against him is one which cannot be absolutely approved. The service Registers of the Chief Jailor and the Memorialist should also be submitted.

20.III.05

24.3.1905

Secretary.

To-

The Inspector General of Pris

Mysore.

Shortly II
Commissioner
issue.

2nd Commissioner
22.3.1905

Read 22-3-05. Seen
Returned with thanks
24/3

24.3.1905

Copies 24/3/05
Examined
26/3/05

No. 638. Ex 6 file

Fin. No. 11 9.2
Sec. No. 44 :0
22nd

Bangalore, 20th April 1905

From

Lt. Col John Smyth M.D ,I.M.S.

Offg. Inspector General of Prisons

in Mysore, Bangalore.

To

B.K. Venkatavaradaiengar Esqr.,

Secretary to the Government of H.H. the

Maharaja of Mysore, General and Revenue

Departments, Bangalore.

Sir,

In compliance with the Proceedings of Government No.J. 2738/Pris.11-13 dated the 27th March 1905, I have the honor to submit the fur-ther records therein called for as detail-ed in the mar-gin, relative to the degradation of late Deputy Chief Warder Mah-med Alli Khan of the Bangalore Central Jail and to certain othe irregularities.

(1) Orders respecting Deputy Chief Warder's removal from the ration charge.
(2) Records relating to a case of theft of ragi as also orders regarding toti and non closure of gate.
(3) Correspondence regarding the degradation of Mah-amed Alli Khan.
(4) Correspondence re: the Jail bull which is said to have died in the Superintendent's service.
(5) Explanation of the Superintendent in the matter of granting turbands to habitual convicts.
(6) Service registers of Chief Jailor Mr.Smith and Deputy Chief Warder Mahmed Alli Khan.

2. In para 4 of Government Order it is stated "it is al-leged that the trees felled were made over to the Jail Contract-or for sale". This is not quite correct. The most that the Superintendent said was that the Contractor had the option of - buying such produce, Vide my report, complaint 3 penultimate -- paragraph.

Confl. June 24/4/05 J.a

190 5

FROM

The Inspector General
of Prisons in Mysore

To

The Secretary to the Govt. of
H. H. the Maharajah of Mysore
Genl & and Rev. Depts.

Dated 20th April 1905

Despatched 22nd do —

Received

General No. 638
No. 5

Enclosure No. 6 files

Submits the records
relative to the degradat
of late Deputy Chief Wa
Mahamed Ally Khan o
the Bangalore Central Ja
and to certain other irregu
-larities.

Para 4 of the same order says "the Superintendent says that he paid Rs.6/- to the contractor but has no voucher". This is not according to my report. This was not paid to the contractor but to the Jail garden account. The bills paid to the contractor by the Superintendent are not forthcoming being with the exception of 3 or 4, lost, as the Superintendent says owing to the remoteness of the date of the transactions.

4. As to para 8 of the Government order referred to, questioning the propriety of my action in dismissing the memorialist, I have only to say that the investigation revealed the man to be of such a stamp as rendered his retention any longer in Government service intolerable and unjustifiable, and I considered His Highness's Government would very likely call me to account for retaining such a man in the service knowing him to be absolutely untrustworthy.

5. The file of records may be obligingly returned when no longer required.

I have the honor to be,

Sir,

Your most obedient servant

M.D.,

Lt.-Colonel I.M.S.

Offg. Inspector General of Prisons in Mys

Dewan of Mysore.

May it please your Excellency:

The humble petition of B. Muhammad Ali Kha late Deputy Chief Warder, Bangalore Central Jail; Most respectfully sheweth:-

That, in continuation of his humble appeal a petitions, which are under your Excellency's gracious disposal, the petitioner most humbly and respectfully ven to intrude on your Excellency's precious time once again, s he learns that the Superintendent of Central Jail has subm to the benign government some wrong statements in connection with your poor petitioner's case.

To Prisons Branch III

Secy 6/5/05 mule 6/5/05

The petitioner learns, that the Superintendent ha written that your petitioner was removed from the rati charge as he was found out by the Superintendent to hav united with the contractor, and issued such ration were not passed by the medical officer. This is n the case. But your petitioner was removed from the r charge chiefly and only because he unfortunately faile supply Mrs. Hume Wright two maunds of firewood ju the day previous to his removal. Your petitioner had no c whatever to issue any rations other than those passed by Medical Officer in the very presence of the Superintende one week's ration used to be stored by the contractor in room, which after medical inspection used to be locke first by jail authorities, in order that contractor may change the rations, and then also by the Contractor, in orde nothing may be removed from his room but with his knowl The Key of the jail lock used to be in charge of the Chief J who every morning handed it to your petitioner to issue rations at the fixed hour. It was your petitioner's duty t

of Jailor. Furthermore it is to be considered that every
ek when the Medical Officer passed the rations for the
ming week, the Superintendent takes up a sample of
h grain and sundry &c, which he himself preserves in
office in a strongly locked glass-box. This glass box assist
checking the rations issued by your petitioner. The Chief
or and Chief Warder were the checking officers, who every
had it as their duty to take the glass box with them to
Kitchen and there inspect all the rations issued by your
tioner. The cooks, under the existing rules, dared not to touch
rations until the checking officers' permission, who used to
ck the weight, as well as verify the rations issued with
samples in the Supdts. glass-box. Their remarks "All Correct"
to be seen on each day's ration indent forms. Thus, the
tioner now begs to hope that your Excellency easily
erstand the impossibility of your petitioner's issuing any
~~d~~rations.

Further, your petitioner learns, that Superintendent has
written that he had once fined your petitioner Rs 5/-
having issued bad rations. But the fact of this unjust
is thus: By the verbal order of the Superintendent on the
Sept. 1904, at 12 noon the Deputy Jailor releived your petitioner
ration charge, — the charge which he had held since his
intment, in the days of the late Dr. D.A. Choksi. Of course
was no reason for your petitioner's removal excepting that
ired to supply two maunds of firewood to Mrs Annie Wright,
fore there was no written order for his removal from the
ion charge, nor was there any fines ordered. But however
days afterwards the Supdt. called your petitioner to the
e and said that he had fined your petitioner Rs 5/-
bad rations issued on the day he fined the petitioner. Your
tioner who was no more in charge of ration duty protested
inst the Superintendent's order, that it was not he but the

issued on that day. But the Superintendent did not l
to any of your petitioner's reasons. Therefore when your
unsupported petitioner got a written order on the 20th. Sep
he took to Superintendent on the 21st. Sept. his appeal to
Inspector General, and requested him to submit the sa
But when Superintendent observed that your petitioner ha
clearly mentioned in it how he was unjustly fined, he
asked your petitioner to return the order of fine he had
issued to him saying that he excused him and cance
the fine. The order was returned by your petitioner as
directed, since he thought that the unjust fine was
cancelled. Delivery Book of the Jail bears the remarks a
initials of the Head Writer, I Asst. Jailor, and the III Asst
Jailor, to the effect that the order which was issued w
taken back again from your petitioner. But when the mon
ended the Superintendent unjustly deducted the fin
from your petitioner's pay in spite of his protest and
though he himself had said that it was cancelled
had taken the order back from your petitioner. Again
this unjust action of Superintendent your memorialis
was about to appeal to the Inspector General, when
fresh unjust punishment of degradation forced yo
petitioner first to appeal against this unjust
degradation. Such being the facts of fine Mr. Hume Wri
lays stress that because he fined your petitioner Rs 5
therefore it is to be taken that your petitioner issued
rations. The only point that how the checking officers
remarked "All Correct" on the indent form, clearly sp
that no bad rations was ever issued by your petitio
But if it be taken that even the checking officers ha
united with your petitioner or the Contractor, as the

eaks in itself that only for his revenge the Superintendent
ed the poor petitioner unjustly.

About the "Ragi-bag case" the Superintendent says
t convict no. 6433 came out of the Barracks against the
e; and that this violation of rule was admitted by your
itioner also, while giving his statement. First about the com
ing out of the Barracks, the petitioner most humbly and
pectfully begs to inform your Excellency that the convict
uestion is a sweeper, whose work in jail is conservancy work.
sweeper convicts (about 20 or 25) are always free to move in
l at any hour to be cleaning and sweeping latterines
ry now and then. There is no objection to their movement
in the jail walls. Nor your petitioner or any other jail
icer had order to the effect that movements of sweepers
ould be checked or forbidden. If your Excellency be gracious
ed to make a reference to the punishment book in jail
can be observed that these sweepers (convicts), while
oving here and there in jail doing their work have picked
arells with other convicts working in various Barracks.
his will prove clearly that no objection whatever was ever
lade to the movements of these sweepers. But since Mr.
nne Wright cannot place any proof to substantiate
the ragi-bag burglary case was a concocted one, he
es it that the convict left the Barracks against rules.
ondly as regards the fact that your petitioner admitted
t the convict came out of the Barracks against the rules,
ile he gave his statement your petitioner most respectfully
gs to say that your petitioner never admitted the fact, but
statement of your memorialist taken down by the Supdt.
ight be incorrect, because the interpreter of his statements
s the II asst. Jailor, Mr. Samuel, who was an enemy of your
titioner long since. Your petitioner had protested with

because he knew that this man would translate all his statements incorrectly. But the Superintendent gave a ear to all your petitioners protests and requests, the when the Superintendent took his statement, with tha II Asst. Jailor, as interpreter, your unsupported memoria at once sent a petition by registered post to the Superin to the effect that as Mr. Samuel was his enemy his sta might have been incorrectly translated, therefore a statement might be taken with some other officer interpreter (vide Registration Receipt no. 289 enclose And now by what the Superintendent has written to the be government, your petitioner really finds that his state was incorrectly translated by one of his enemies. Hen your petitioner had to make a mention of this also.

Under these reasons and for the above-said circumstances, and also those mentioned in his forme appeal and petitions, your humble petitioner hu respectfully begs to pray your Excellency to be grac pleased to do justice in his case, by reinstating in jail service, with a promotion to the next high post of Chief Warder which is long since vaccant Central Jail; and also to cancel all the unjust punishments imposed on him by the Inspector Genera Prisons, and the Superintendent, Bangalore Central J

For which your Excellency's gracious acts of kindness, generosity and charity, your poor petit his large family, and children shall all ever pray your Excellency's long life, peace and prosperity.

Your Excellency's
most loyal, humble, and obe
petitioner and Servant

(Sd-) B. Muhammad

Old Sowar Line,
Bangalore.—
22nd April 1904.

His Excellency Sir P. N. Krishna Murthi
B. L., K. C. I.
The Dewan of Mysore

May it please Your Excellency:

The humble petition of B. Muhammad Ali Khan
Deputy Chief Warder, Bangalore Central Jail, most Respec
Sheweth:-

That my appeal dated 6th. December 1904, to the
against the orders of the Inspector General of Prisons
Mysore, and other petitions in continuation thereof ar
yet under disposal and kind consideration of your
Excellency. But now the Superintendent of the Bangalore
Central Jail requires me in his no. 973 dated 14th July 19
(Vide Copy attached) to intimate whether I am going to cont
payment of my life insurance premium or to take 50
surrender value. Owing to the very straitened circu
tances to which I have been reduced for being witho
pay for the last 10 months (since October 1904) I am gr
unable to continue the payment of premium until yo
Excellency pass your kind orders of reinstating me in the
Jail Service on my former rank. It is therefore that no
most humbly and respectfully approach your Excell
once again, and pray you to be graciously pleased
dispose my humble case, and to do me justice, o
Else, I and ~~me~~ my large family will have not onl
starve and suffer longer but will have also to
50 p.c. of the value of my insurance policy.

Therefore I once again beseech your Excel
and pray you to do me justice earlier and thus
my large family from the wretched plight
which it has now fallen, by disposing my
appeal which is under kind consideration for
7-8 months.

For which your Excellency's kind a

ever pray for your Excellency's long life, peace an
Continued prosperity. GG

I beg to remain
Your Excellen
Most Loyal, Humble & Obedi
Servant

(Sd.) B. Muhammad Ali Kh

via Sowar Line
Bangalore
17th. July 1905

—— :o: ——

(True Copy)

no. 973. Bakshi Muhammad Ali Khan, late H
Head Warder of this jail is hereby required to i
whether he is willing to continue payment of
mium or to take 50 p. c. surrender value of hi
as this information is urgently required by the
Secretary, Insurance Committee, Bangalore

Bangalore
Dated 14th July 1905

(Sd.) G. Heme Wright
Superintenden
Central

Proceedings of the Government of His Highess the Maharaja of Mysore.

Read:-

Correspondence ending with letter No.638-J,dated the 20th April 1905,from the Inspector General of Prisons in Mysore,regarding certain irregularities in the management of the Central Jail at Bangalore, brought to notice in connection with petitions from B.Muhammed Ali Khan, ex-Deputy Chief Warder of the said Jail, dated the 16th December 1904 and 16th January 1905.

No.9282-84, dated 9th April 1906

Order thereon:- The petitioner Mahomed Ali Khan, in the course of his appeal to Government against his degradation from the post of Deputy Chief Warder to that of a 1st class Head Warder in the Bangalore Central Jail, made the following allegations,-

1) That he was reduced because he was suspected of having concocted a case of theft of ragi bag by a convict in order to ruin the Deputy Jailor, Mc.Guire, and to bring the latter into trouble;

2) That, prior to his degradation,he had been removed from the charge of rations,because he refused to supply the wife of the Jail Superintendent,Mrs.Hume Wright,with 2 maunds of fire-wood;

3) That Mr.Hume Wright cut down from

the Jail garden several big mango, jack & other trees of the value of Rs.400, and utilised them free for his and the Chief Jailor's private use;

4) That Mr.Hume Wright sent convict labour for work to certain unauthorised places without proper sanction;

5) That gram purchased ostensibly for the jail oxen ~~by the Superintendent~~ was utilised for a private purpose;

6) That Mr.Hume Wright has started a fruit garden, which he works by convict labour, and the whole produce of which is appropriated by himself;

7) That the Superintendent utilises the services of habitual and recommitted convicts as domestic servants, makes them work late at night in his bungalow, and has made some of them and his favourite convicts work-overseers and maistries, that he has supplied the latter with turbans at Government cost, and that this practice has led to serious quarrels among the convicts;

8) That the Superintendent ~~xxxxxx~~ destroyed several sheds built for the use of the jail staff and gave the materials away to some of his own men;

9) That one rose-wood card table was sold to Col. P.H.Benson, the late Inspector General of Prisons for Rs.12, and an exactly similar one was taken by Mr.Hume Wright for Rs.5;

10) That the Superintendent kept for his private use a bullock belonging to the Central Jail valued at Rs.80, and

that it died while it was being driven yoked to the Superintendent's cart;

11) That certain furniture and other jail-made articles were retained by the Superintendent for his private use and others sold to himself or his friends at unduly low prices;

12) That the Superintendent has been allowing male convicts to go to the Matron's quarters situated amidst the female prison;

13) That when a convict escaped from the Central Jail on the 6th April 1904, the officer in actual charge of the convict was not questioned, but that a warder was temporarily degraded for 6 months; and

14) That although it was reported that on Sunday the 25th September 1904 a convict was seen riding a horse and swimming in a dangerous tank, the Superintendent took no notice of this till he saw the fact mentioned in Mahomed Ali's memorial to the Inspector General of Prisons.

2. The charges preferred in the two memorials against the Superintendent and the Chief Jailor of the Central Jail were enquired into by the Inspector General of Prisons, who has recorded his findings in the memo of enquiry forwarded by him.

3. Leaving the first complaint to be dealt with finally, the others will be adverted below.

4. As regards the second complaint it appears that the genuineness of the chit, though questioned by Mr.Hume Wright, has been admitted by Mrs.Hume Wright. It cannot, however, be said that Mahomed Ali's alleged refusal to supply the fuel asked for directly led to his removal from the ration charge, since, on his own admission, it is apparent that the Superintendent had been continually finding fault with him and trying to get rid of him for the previous two years. As regards his removal from the charge of rations, it does not appear that his duty was other than the merely mechanical operation of issuing the rations supplied by the Contractor and kept under the charge of the Chief Jailor as Inspecting officer. The persons chiefly responsible for issuing bad rations are, therefore, presumably the Contractor and the Jailor, and not the petitioner, whose removal seems under the circumstances to have been hardly justifiable, especially as this was the first instance of the kind urged against him.

5. As regards the alleged cutting down of trees of the value of Rs.400, it is shown that a few trees were cut down under the Superintendent's orders, but their value cannot have been great, or indeed more than a small fraction of the sum alleged. At the same time, the manner in which the wood was disposed of is open to the gravest objection. Some was,

it is said, used for Jail purposes, but a quantity was used by the Superintendent as fire-wood without payment, except for a sum of Rs.6 odd credited to the Supdt. in the garden account. To prevent future irregularities of this kind, provision has since been made in the Jail Manual by the insertion of an article (No.536-A), prohibiting the cutting down of trees in the jail premises without the sanction of the Inspector General of Prisons, and requiring the produce of loppings and other waste garden products to be utilised for jail purposes only. It is further amply proved by entries in the gate book that a large quantity of fire-wood was supplied to the Superintendent and the Chief Jailor both from the Jail and by the jail Contractor. The Chief Jailor admits non-payment of the price of fire-wood, but the plea which he puts forward in excuse, viz, that no bills were presented, is inadmissible. The Superintendent says that he paid the Contractor but that he did not obtain receipts. The explanation is not satisfactory, and Government can only observe that, when an officer in the responsible position of Jail Superintendent has personal dealings with the jail contractor and is unable to prove their correctness, the presumption is likely to be against him. For the future all private dealings between any officer of the Jail and any contractor to the Jail for the time being must be strictly prohibited.

2442,dated 9th March 1906.

6. Complaint No.4. Final orders having since been issued for regulating the institutions to which alone convict labor shall be supplied, this point does not require comment here.

7. Complaint No.5 is proved against the Chief Jailor, who admits having issued a chit on the 14th March 1902 asking for the issue from the Jail store of 40 seers of gram for his private use. The Chief Jailor does not recollect whether he got the gram. The fact, however, remains that the Chief Jailor has at least been trying to get gram for his private use on loan, which is most improper conduct on his part.

8. Complaints Nos.6,8,12,13 and 14 are not borne out by the evidence, and must be dismissed as frivolous and malicious.

9. Complaint No.7. The enquiry shows that the Superintendent without proper authority made some habituals "gangers" ~~sers~~ and provided them with turbans. He has admitted that the turbans were issued without any authority but stated that he has since refunded the cost. Government ~~[illegible]~~ to note in this connection that the allegation that prisoners are employed with the cognizance of the Superintendent on domestic and other private work in his quarters has been found to be true both by the City Magistrate of Bangalore in Criminal Case No.113 of 1905-06 and by

the Chief Court in Criminal Revision case No.54 of 1905-06. The incident is discreditable to an officer in Mr.Hume Wright's position.

10. Complaint No.9. The sale register clearly shows that a table was sold from the Central Jail to Col P.H.Benson and that the Superintendent himself purchased another on his own authority; but there is nothing to show that the transactions were irregular or that the proper price was not paid for the article in either case. As,however,such purchases on behalf of the officers in charge of the jail are likely to lead to abuse Government direct that the practice be put a stop to.

11. Complaint No.10. The Superintendent admits having borrowed the bullock "three or four times at the most for an hour in the morning and evening" and that it dropped dead "on the last occasion". These facts were,however, not mentioned by the Superintendent in the official report sent by him to the Inspector General of Prisons on the death of the bull in question. There is competent medical authority for the belief that the animal died of loading of the heart with fat from idleness. Under the circumstances the need for maintaining a jail bullock seems open to question. Be that,however,as it may, the fact remains that the bullock died not in jail service but whilst it was being used, most improperly,

for the private purposes of the Superintendent.

12. Complaint No.11. The irregular sales and use of jail articles referred to under this head, having been fully dealt with in connection with the Auditor's report, need not further be adverted to here.

13. The papers before Government disclose a state of affairs in the Central Jail, Bangalore, which can only be described as discreditable to the Superintendent. The breaches of rule proved or admitted are not perhaps of grave importance in themselves, but coupled with the disregard on the part of the Superintendent and the Chief Jailor of the elementary principles which must regulate the custody and use of Government property, they have affected most injuriously the discipline of the Jail. Under the circumstances Government are compelled to mark their displeasure emphatically. They direct, therefore, that Mr.Hume Wright be severely reprimanded; that his increments of pay be stopped until further orders; and that he be warned that the recurrence of irregularities such as have been brought to notice in the present case will render him liable to summary dismissal. The Inspector General of Prisons should submit at the end of every half year a report on the management of the Central Jail at Bangalore. The Chief Jailor Mr.J.Smith, whose conduct has presented itself in an unfavorable light in the

course of this enquiry, will, as recommended by the Inspector General in his letter No.372-J,dated the 2nd March 1905 be retired after the expiry of such leave as he may be entitled to.

14. As regards the appeal of the Petitioner against his degradation and subsequent dismissal, Government accept the reasons furnished by the Inspector General for the first measure. As regards his dismissal, Government are of opinion that though he was clearly an unsatisfactory subordinate, and his removal from the Jail Department was probably desirable, in the interests of the service, the misbehaviour proved against him was not such as to warrant his dismissal from Government service. They are further of opinion that his dismissal at a time when allegations made by him against his superior officers were under enquiry was an inopportune measure and one susceptible of an unfavorable construction. On the one hand the petitioner has been instrumental in bringing to light a number of irregularities. On the other he has altogether failed to substantiate several charges and has grossly exaggerated others. His conduct with reference to the gram case does not appear in a favorable light. The difficulties to which a subordinate is exposed when his superior officers are guilty of irregularities are, however, apparent, and Government are of opinion that under the circumstances his dismissal from the service was not warranted.

The Government are accordingly pleased to order his reinstatement, and to request the Revenue Commissioner to confer on the petitioner a suitable employment in the Bangalore or Mysore District on a pay of Rs.20 per mensem. The pay at this rate should be paid to ~~xxx~~ the petitioner from the date of his dismissal up to the date of his reemployment out of savings in the Jail budget. The petitioner will report himself for duty to the Revenue ~~Commissioner~~ Commissioner.

4.4.1906

4.4.1906

Secy.

To The I.G. of Prisons in Mysore.
The Revenue Commissioner in Mysore.
The Comptroller to Government.

Copied 7/4/06.
Examined 7/4/06.

2515
File No-
S No

MYSORE GOVT. GEN. & REV. SECRETARIAT,
Dated, Bangalore, 9-6, 190 6

ENDORSEMENT GRANTED TO Mahmed Ali Khan, Sr
trial jail, residing at the Ad Sawar

his Petition Registered No. 1488 & 2297 dated the 16 Dec
ges respectively, ~~complaining~~ appealing against the o
of Gr ~~ing~~ dismissing him from service & hig
epulantes in the Bangalore Central jail.

Petitioner is informed that ~~after~~ after a careful
to of the case the Government ~~have decided~~
~~to reinstate him in his former post from the date~~
~~granted the Revenue Commissioner~~
in the Rev. Dept.
Suitable appointment in the Bangalore
pay of Rs 20 per mensem.
~~ince is accordingly directed to rep~~
~~Commissioner for duty at once~~. Cr
at this rate.
for the disbursement of pay durin
blyment. ~~From the~~ The Acct
eg for duty ~~to the~~ Rev Com

By Order,

2-4-06 for 4.4.1906

Secretary.